

ship and his confidence encircled men of every creed, and men of no creed, and to the end of his life, on his ever-lengthening list of friends, were to be found the names of a pious Catholic priest and of an honest-minded and generous-hearted free-thinker.

On the morning of Saturday, July second, the President was a contented and happy man—not in an ordinary degree, but joyfully, almost boyishly happy. On his way to the railroad station to which he drove slowly, in conscious enjoyment of the beautiful morning, with an unwonted sense of leisure and a keen anticipation of pleasure, his talk was all in the grateful and gratulatory vein. He felt that after four months of trial his administration was strong in its grasp of affairs, strong in popular favor, and destined to grow stronger; that grave difficulties confronting him at his inauguration had been safely passed; that trouble lay behind him and not before him; that he was soon to meet the wife whom he loved, now recovering from an illness which had but lately disquieted and at times almost unnerved him; that he was going to his Alma Mater to renew the most cherished associations of his young manhood, and to exchange greetings with those whose deepening interest had followed every step of his upward progress from the day he entered upon his college course until he had attained the loftiest elevation in the gift of his countrymen.

Surely, if happiness can ever come from the honors or triumphs of this world, on that quiet July morning James A. Garfield may well have been a happy man. No foreboding of evil haunted him; no slightest premonition of danger clouded his sky. His terrible fate was upon him in an instant. One moment he stood erect, strong, confident in the years stretching peacefully out before him. The next he lay wounded, bleeding, helpless, doomed to weary weeks of torture, to silence, and the grave.

Great in life, he was surpassingly great in death. For no cause, in the very frenzy of wantonness and wickedness, by the red hand of murder, he was thrust from the full tide of this world's interest, from its hopes, its aspirations, its victories, into the visible presence of death—and he did not quail. Not alone for the one short moment in which, stunned and dazed, he could give up life, hardly aware of its relinquishment, but through days of deadly languor, through weeks of agony, that was not less agony because silently borne, with clear sight and calm courage, he looked into his open grave. What blight and ruin met his anguished eyes, whose lips may tell—what brilliant, broken plans, what baffled, high ambitions, what sundering of strong, warm, manhood's friendships, what bitter rending of sweet household ties! Behind him a proud, expectant nation, a great host of sustaining friends, a cherished and happy mother, wearing the full, rich honors of her early toil and tears; the wife of his youth, whose whole life lay in his; the little boys not yet emerged from childhood's day of frolic; the fair young daughter; the sturdy sons just springing into closest companionship, claiming every day and every day rewarding a father's love and care; and in his heart the eager, rejoicing power to meet all demand. Before him, desolation and great darkness! And his soul was not shaken. His countrymen were thrilled with instant, profound, and universal sympathy. Masterful in his mortal weakness, he became the center of a nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his suffering. He trod the wine-press alone. With unflinching front he faced death. With unflinching tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the divine decree.

As the end drew near, his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from its prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea, to live or to die, as God should will, within sight of its heaving billows, within sound of its manifold voices. With wan, fevered face tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its far sails, whitening in the morning light; on its restless waves, rolling shoreward to break and die beneath the noonday sun; on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a further shore, and felt already upon his wasted brow the breath of the eternal morning.

[The orator on concluding was greeted with most hearty applause, in which the whole audience joined.]

Rev. J. J. BULLOCK, the Chaplain of the Senate, pronounced the benediction, as follows:

May the peace of God, which passeth all understanding, keep your minds and hearts in the knowledge and love of God and His Son, Jesus Christ, our Lord. And the blessing of God Almighty, the Father, the Son, and the Holy Ghost, rest upon and remain with you, now and forevermore. Amen.

The President and his Cabinet, the Chief-Justice and associate justices of the Supreme Court, and other invited guests then retired from the Hall; after which the Senate returned to their Chamber.

The House having been called to order,

Mr. MCKINLEY submitted the following resolutions; which were unanimously adopted:

Resolved, (the Senate concurring,) That the thanks of Congress be presented to Hon. James G. Blaine, for the appropriate memorial address delivered by him on the life and services of James Abram Garfield, late President of the United States, in the Representatives Hall, before both Houses of Congress and their invited guests, on the 27th day of February, 1882; and that he be requested to furnish a copy for publication.

Resolved, That the chairmen of the joint committee appointed to make the necessary arrangements to carry into effect the resolutions of this Congress in relation to the memorial exercises in honor of James Abram Garfield be requested to communicate to Mr. Blaine the foregoing resolution, receive his answer thereto, and present the same to both Houses of Congress.

Mr. MCKINLEY. I now offer the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That as a further testimonial of respect to the deceased President of the United States, the House do now adjourn.

The resolution was adopted; and thereupon (at one o'clock and fifty-five minutes p. m.) the House adjourned.

SENATE.

TUESDAY, February 28, 1882.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of the proceedings of Friday last and of yesterday was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the memorial of the Chamber of Commerce of Los Angeles, California, in favor of the incorporation of the Maritime Canal Company of Nicaragua; which was referred to the Committee on Commerce.

He also presented resolutions of the Chicago Historical Society in favor of the purchase of the Franklin manuscripts offered for sale by Henry Stephens of London; which were referred to the Committee on the Library.

Mr. ANTHONY. I present the memorial of the city council of the city of Providence, Rhode Island, calling the attention of Congress to the importance and necessity of improving the harbor of that city. I had the honor to present some resolutions upon this subject the other day when I asked the attention of the Committee on Commerce to the importance of the subject, and I wish now again to call their attention to it. I move the reference of the memorial to the Committee on Commerce.

The motion was agreed to.

Mr. MCDILL presented the petition of John Kennedy, late a private in Company H, First Regiment Wisconsin Cavalry, praying to be relieved from the effects of an entry on the muster-out rolls charging him with desertion; which was referred to the Committee on Military Affairs.

Mr. FERRY presented resolutions of the Western Andersonville Survivors' Association of Chicago, Illinois, in favor of the passage of the bill (S. No. 1012) granting pensions to Union soldiers confined in so-called confederate prisons; which were referred to the Committee on Pensions.

Mr. MILLER, of California, presented a joint resolution of the Legislature of California in favor of the passage of the bill to incorporate the Maritime Canal Company of Nicaragua; which was referred to the Committee on Foreign Relations.

He also presented a petition of citizens of California praying for an increase of compensation to keepers of life-saving stations on the Pacific coast; which was referred to the Committee on Commerce.

Mr. MILLER, of New York, presented the petition of Edwin S. Gorham and 2,100 others, citizens of New York, praying for a reform in the method of appointment to the civil service; which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of ex-Union soldiers, citizens of New York, praying for the passage of a bill to increase the pensions of all soldiers having lost an arm or a leg; which was referred to the Committee on Pensions.

Mr. CAMERON, of Wisconsin, presented a petition of citizens of Wisconsin, praying for legislation regulating charges for railroad transportation; which was referred to the Committee on Commerce.

Mr. SHERMAN presented a petition of citizens of Ohio, praying for such a modification and amendment of the patent laws as will protect innocent purchasers of patented articles from the imposition and collection of royalties on infringements made by others; which was referred to the Committee on Patents.

Mr. COCKRELL presented a petition of citizens of Missouri, praying for the erection of a suitable public building at Jefferson City, Missouri; which was ordered to lie on the table.

He also presented a memorial of the Merchants' Exchange of Saint Louis, Missouri, in favor of the passage of a bill to increase the efficiency of the signal service; which was referred to the Committee on Military Affairs.

He also presented the memorial of the Saint Louis Medical Society in favor of the proposal of the Surgeon-General of the United States

Army for the erection of a fire-proof building for the National Medical Museum and Library; which was referred to the Committee on Public Buildings and Grounds.

Mr. HARRIS. I present recommendations of the bar of Memphis, Tennessee, for the relief of the Federal courts from the pressure upon their business. Believing, as I do, that the recommendations are eminently worthy of serious consideration, I move to refer the paper to the Committee on the Judiciary.

The motion was agreed to.

Mr. BLAIR presented a memorial of citizens of Bennington, New Hampshire, assembled on the birthday of Washington, in favor of legislation for the extirpation of polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Amherst, New Hampshire, praying for the passage of a law for the suppression and extirpation of polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of R. F. Carter and others, citizens of Lancaster, New Hampshire, praying for such legislation as will regulate charges for railroad transportation; which was referred to the Committee on Commerce.

He also presented a petition of citizens of Portsmouth, New Hampshire, in favor of the passage of a bill for the reorganization of the Marine Corps; which was ordered to lie on the table.

Mr. GEORGE presented a petition of citizens of Mississippi, praying for legislation regulating charges for railroad transportation; which was referred to the Committee on Commerce.

Mr. BUTLER presented additional papers furnished by S. W. Melton, district attorney for South Carolina, to accompany the bill (S. No. 815) to amend section 572 of the Revised Statutes; which were referred to the Committee on the Judiciary.

Mr. MITCHELL presented the petition of Joseph W. Fisher, late colonel One hundred and ninety-fifth Regiment Infantry Pennsylvania Volunteers, praying to be allowed compensation claimed to be due to him; which was referred to the Committee on Military Affairs.

He also presented a letter of the Commissioner of Pensions in relation to the pension claim of Anna Maria Young, widow of Jacob Young; which was referred to the Committee on Pensions.

He also presented the memorial of the Philadelphia Conference of Baptist ministers, protesting against the passage of the bill providing for the application of the unclaimed bounty money due colored soldiers for the establishment of an educational fund to be divided among the five schools named in the bill; which was referred to the Committee on Education and Labor.

Mr. JOHNSTON presented the petition of Thomas Hicks, executor of Captain Isaac Hicks, deceased, praying that said Captain Isaac Hicks be allowed half pay as an officer in the Revolutionary war; which was referred to the Committee on Revolutionary Claims.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. No. 721) to authorize the appointment of V. McNally as an ordnance store-keeper in the Army;

A bill (H. R. No. 3548) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1883, and for other purposes; and

A bill (H. R. No. 4439) to amend the Revised Statutes of the United States establishing the times, places, and provisions for holding terms of the district and circuit courts in the northern district of New York.

The message further announced that the House had passed the bill (S. No. 58) for the relief of William H. Gill.

The message also announced that the House had passed a concurrent resolution extending the thanks of Congress to Hon. James G. Blaine for the appropriate memorial address delivered by him on the life and services of James Abram Garfield, late President of the United States.

REPORTS OF COMMITTEES.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (S. No. 874) to adopt a device for the purpose of preventing a reuse of revenue stamps placed upon malt and spirituous liquor barrels and kegs, reported adversely thereon, and the bill was postponed indefinitely.

Mr. McDILL, from the Committee on the District of Columbia, to whom was referred the bill (S. No. 1191) to provide for greater economy in the public expenditure of gas, reported adversely thereon, and the bill was postponed indefinitely.

Mr. WINDOM. I am instructed by the Committee on Foreign Relations to report back the joint resolution (S. R. No. 6) authorizing Lieutenant-Commander Charles Dwight Sigsbee, United States Navy, to accept a decoration from the Emperor of Germany, without amendment, and to recommend its passage. I also desire to say, and am requested to say, that the Senator from Vermont, [Mr. EDMUNDS,] who is a member of that committee, does not agree to the report of the committee.

The PRESIDENT *pro tempore*. The bill will be placed upon the Calendar.

Mr. MAXEY, from the Committee on Military Affairs, to whom was referred the bill (S. No. 1210) for the relief of the trustees of Isaac R. Trimble, of the city of Baltimore, Maryland, reported it with amendments, and submitted a report thereon, which was ordered to be printed.

COMMITTEE ON PENSIONS.

Mr. TELLER. I am directed by the Committee on Pensions to ask leave to sit during the sessions of the Senate.

There being no objection, leave was granted.

PERUVIAN, CHILIAN, AND BOLIVIAN COMPLICATIONS.

Mr. WINDOM. I am instructed by the Committee on Foreign Relations to report the following resolutions, and ask for their present consideration:

Resolved, That the Committee on Foreign Relations be, and it hereby is, instructed to inquire into all the circumstances concerning the alleged loss or abstraction from the office of the Secretary of State of certain papers and documents mentioned in the message of the President sent to the Senate on the 26th day of January, A. D. 1882, and report thereon, with such recommendations as may appear to it proper in the premises; and that it inquire into all the circumstances of the alleged action of the diplomatic representatives of the United States at the Republics of France and Peru in being personally concerned in any contracts or arrangements of a public or private nature with the governments of either of said countries, or with corporations or associations having relations with, or asserting claims against, or grants derived from, either of the same, and also whether any member of Congress or any other officer of the United States has had any personal interest or concern in any of the matters before mentioned, and report thereon, with such recommendations as may appear to it proper in the premises.

Resolved, That for the purposes named in the foregoing resolutions, any three members of said committee shall constitute a quorum.

Resolved, That said committee have power to send for persons and papers in regard to the before-mentioned inquiries, and that it have leave to sit during the sittings of the Senate.

Resolved, That the expenses incurred in the execution of the foregoing resolutions be paid on the certificate of the chairman of said committee out of the appropriation for the contingent expenses of the Senate.

Mr. WINDOM. These resolutions reported by the committee cover the resolution referred to it on the motion of the Senator from Delaware, [Mr. BAYARD,] and also the statement made by the Senator from Vermont, [Mr. EDMUNDS,] who desired on Friday to enlarge the scope of the investigation.

Mr. BAYARD. Will these resolutions be printed now?

Mr. WINDOM. I propose to put them on their passage if there is no objection.

Mr. BAYARD. Do I understand that these resolutions are to be referred to the Committee on Foreign Relations?

Mr. WINDOM. No; this is a report from the committee.

The PRESIDENT *pro tempore*. The present consideration of the resolutions is asked for.

Mr. WINDOM. I will say that the resolution referred to by the Senator from Delaware remains before the committee. These are original resolutions covering what was asked for by his resolution, and also the statement made by the Senator from Vermont, who desired on Friday to enlarge the scope of the inquiry.

Mr. BAYARD. Then I understand, the Senate having heard this read but once, that it virtually includes the subject-matter referred to in the resolution I offered which went to his committee, and amplifies the scope of the inquiry.

Mr. WINDOM. These resolutions include that subject-matter and other matters referred to by the Senator from Vermont.

Mr. BAYARD. I hope the matter will be considered.

Mr. INGALLS. This is a very important subject, and I think the resolutions, as they are not fully understood, had better go over and be printed so that we can all read them.

The PRESIDENT *pro tempore*. The resolutions will go over and be printed.

MERCHANT VESSELS.

Mr. ANTHONY, from the Committee on Printing, reported the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate, (the House of Representatives concurring,) That 1,000 additional copies of the list of merchant vessels, published under direction of the Secretary of the Treasury, for 1881, be printed for the use of the Department of State.

PRINTING OF MEMORIAL CARD.

Mr. SHERMAN submitted the following, which was read:

Resolved, That there be printed from the engraved plate of the memorial card prepared in honor of the late President James Abram Garfield, 5,000 copies for distribution by the Senate.

Mr. SHERMAN. I suppose that under the rule this will have to go to the Committee on Printing, although if there is no objection to it, I should like to ask for its present consideration.

Mr. EDMUNDS. You cannot do it by unanimous consent under the statute.

Mr. SHERMAN. Very well, let it go to the Committee on Printing. The resolution was referred to the Committee on Printing.

BILLS INTRODUCED.

Mr. McMILLAN asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1326) for the relief of Edward Corning; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. VAN WYCK asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1327) for the relief of John Little and Hobart

Williams; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FRYE asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1328) for the relief of the estate of Henry K. Sanger, late United States designated depositary at Detroit, Michigan, and for other purposes; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1329) to provide for the construction of the Maryland and Delaware free ship canal as a means of military and naval defense and for commercial purposes; which was read twice by its title, and referred to the Committee on Transportation Routes to the Seaboard.

Mr. EDMUNDS asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1330) to provide for dower in equities of redemption in the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PLUMB asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1331) for the relief of H. H. Kidder; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SLATER (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1332) for the relief of the Delaware Indians in accordance with treaty stipulations; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1333) to authorize the payment to the Delaware Indians of the amount awarded to them under the provisions of the treaty of July 4, 1866; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FARLEY asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1334) for the relief of Jesse D. Carr; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Private Land Claims.

Mr. CAMERON, of Wisconsin, asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1335) to establish a railway bridge across the Mississippi River, extending from a point between Wabasha and Reed's Landing, in Minnesota, to a point below the mouth of the Chippewa River, in Wisconsin; which was read twice by its title, and referred to the Committee on Commerce.

Mr. VEST asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1336) to provide for the erection of a public building in the city of Hannibal, in the State of Missouri; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. INGALLS asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1337) for the relief of Alfred Pleasanton; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1338) to establish a free kindergarten training school, with model kindergarten, in the District of Columbia; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. MITCHELL asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1339) for the relief of Joseph W. Fisher; which was read twice by its title, and referred to the Committee on Military Affairs.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1340) for the relief of the heirs-at-law of William Downing, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

He also asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1341) granting a pension to Anna Maria Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MORRILL asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1342) authorizing the trustees of the Isherwood estate to amend a certain plan of subdivision of said estate, recorded in the land records of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McMILLAN asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. No. 43) fixing the head of navigation of the Minnesota River, in the State of Minnesota; which was read twice by its title.

Mr. McMILLAN. This joint resolution is introduced in pursuance of a resolution passed by the Legislature of the State of Minnesota, which I have the honor here in part to represent. I move its reference to the Committee on Commerce.

The motion was agreed to.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. VANCE, it was

Ordered, That permission be given to withdraw from the files of the Senate, under the rules, the papers relating to the claim of Mattie S. Whitney.

On motion of Mr. HAMPTON, it was

Ordered, That the papers of Beverley Kennon, relating to erection of a "counterpoise battery," now on file in the office of the Secretary of the Senate, be withdrawn and referred to the Committee on Military Affairs.

On motion of Mr. PLUMB, it was

Ordered, That the papers in the cases of Lieutenant Stephen O'Connor, W. H. Morgan, and the Fort Hayes military reservation be taken from the files and referred to the Committee on Military Affairs.

On motion of Mr. TELLER, it was

Ordered, That the papers in the case of S. Annie Easterbrook be taken from the files of the Senate and be referred to the Committee on Pensions.

On motion of Mr. HAWLEY, it was

Ordered, That the papers relating to the claim of Frances H. Plummer, now in the Senate files, be withdrawn and referred to the Committee on Military Affairs, no adverse report having been made thereon.

MILEAGE OF ARMY OFFICERS.

Mr. BECK submitted the following resolution, which was read:

Whereas the Secretary of War has officially advised Congress in the estimates for deficiencies that the \$200,000 appropriated for "mileage to officers of the Army" for the fiscal year ending June 30, 1882, "will be exhausted before the end of February," and that "much inconvenience may be caused by the inability of the (this) Department to reimburse officers for expenses incurred while traveling under orders after that date," and asks an appropriation of \$52,000 to meet the deficiency: Therefore,

Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the Senate forthwith an itemized statement of how, by whom, and under what exigency or orders the \$200,000 aforesaid has been expended in eight months, and whether the estimate of \$52,000 will be sufficient for the remaining four months, stating his reasons for assuming that \$52,000 will suffice to complete the service for the fiscal year.

Mr. BECK. I ask for the present consideration of the resolution.
Mr. ALLISON. I suggest to the Senator to strike out the word "forthwith." I have no doubt the information will be furnished.

Mr. BECK. I will say "as soon as possible."

The PRESIDENT *pro tempore*. "As soon as practicable."

Mr. BECK. That will do; "as soon as practicable."

The PRESIDENT *pro tempore*. The resolution will be modified so as to read "as soon as practicable." The question is on the resolution as modified.

The resolution as modified was agreed to.

THE BEAUBIEN GRANT.

Mr. TELLER. I present a resolution of inquiry, but I do not desire that its introduction shall be inferred as any expression of opinion on my part as to the cause of complaint made. The people in the southern section of Colorado complain that there has been great injustice done to some of them by the survey of an old Mexican grant. The information seems to be unobtainable, except by a resolution, and therefore I ask for the consideration of the following resolution:

Resolved, That the Secretary of the Interior be, and he is hereby, instructed to inform the Senate what were the original boundaries of the tract of land lying in the State of Colorado on the river Trenchera, patented to Charles Beaubien, said to have been surveyed by Mr. Oakes as surveyor, with Edwin D. Kellogg as assistant.

Also how much land is covered by said original patent.

And that the Secretary be further required to inform the Senate whether any subsequent or second survey of said tract of land, being an old Spanish or Mexican grant, has been made, and by whom, and why said subsequent survey was made, and whether the original boundaries of the tract of land granted or patented have been extended, and how much territory has been included within the tract under the second survey which was not included in the first; and upon what evidence the second survey was ordered, and how many acres are included within the entire survey or tract last patented.

And that the Secretary annex to his response to this resolution a copy of all documentary evidence in the Department pertaining to the survey and the patent or patents of said tract of land, and whether the mineral interest is granted or is passed to the patentee under this patent; and if so, under what act of Congress said patent was issued.

The resolution was considered by unanimous consent, and agreed to.

THE GREENE PAPERS.

Mr. ANTHONY submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Library be instructed to inquire into the expediency of purchasing the papers of Major-General Nathaniel Greene, of the Revolutionary war.

TARIFF AND TAX COMMISSION.

Mr. SLATER. I desire to give notice that on Friday next, at half past one o'clock, I shall call up the bill (S. No. 22) to provide for the appointment of a commission to investigate the question of the tariff and internal revenue laws for the purpose of submitting some remarks.

THE CALENDAR.

The PRESIDENT *pro tempore*. If there be no further "concurrent and other resolutions" the morning hour is declared ended, and the Anthony rule takes effect. The Senate will proceed to the consideration of the Calendar under the Anthony rule, and the first bill in order will be called.

Mr. McPHERSON. The bill (S. No. 12) to establish and equalize the grades and regulate appointments and promotions in the Marine Corps I believe was passed on the Calendar without prejudice. Perhaps we shall have time to consider it this morning.

Mr. DAVIS, of West Virginia. I hardly think we ought to go back on the Calendar. We ought to go right straight along.

The PRESIDENT *pro tempore*. That bill was not passed without prejudice. It was objected to, and the Senate does not go back to it except by unanimous consent.

Mr. McPHERSON. I ask unanimous consent.

Mr. ROLLINS. I suggest that it will hardly be possible to consider that bill this morning.

PERMANENT AND INDEFINITE APPROPRIATIONS.

The PRESIDENT *pro tempore*. The first bill to be taken up in order is the bill (S. No. 403) to repeal certain laws relating to permanent and indefinite appropriations.

Mr. EDMUNDS. That is a bill of such general public importance that it ought not to be considered under the five-minute rule.

Mr. DAVIS, of West Virginia. Will the Senator from Vermont hear me a moment before he objects? This is a bill from the Committee on Appropriations—

Mr. EDMUNDS. I understand it perfectly.

Mr. DAVIS, of West Virginia. But I want to say one word. The bill, Senators will recollect, passed the Senate at the last Congress after an amendment had been adopted which was offered by my friend from Vermont, [Mr. MORRILL.] The Committee on Appropriations again considered the bill at this session, and were unanimous in their report of it to the Senate. The Senator from Ohio [Mr. SHERMAN] understands the bill very well, having recommended it while he was Secretary of the Treasury.

I will say to my friend from Vermont [Mr. EDMUNDS] that it is important we should pass the bill at an early day, so that it may go to the House and be acted on there at this session. As the Senator from Vermont probably knows, it repeals perhaps a hundred acts that have grown up since the formation of the Government, under which money now goes from the Treasury without Congress passing upon the expenditure. Between five and six million of customs duties that are collected annually are expended by a general appropriation which Congress has no means of supervising or looking over. It is thought best to have the supervision of Congress in all such cases. I hope the Senator from Vermont will not object to the bill, and that it may pass the Senate at this time.

The PRESIDENT *pro tempore*. Debate is not in order if there is objection to the present consideration of the bill.

Mr. EDMUNDS. I feel it to be a duty to object to the consideration of the bill under the five-minute rule. I will vote with the Senator to take it up, and to take it up now, if he likes, and proceed with it in the same way that we proceed with other bills of general public importance and of considerable difficulty in regard to the details. My only point is that we ought not to be hampered by any five-minute rule about it.

Mr. DAVIS, of West Virginia. Then, at the suggestion of the Senator, at a very early day, in behalf of the public Treasury, this being a general bill and for general purposes and not an individual bill, I shall move to take it up.

Mr. EDMUNDS. I am in favor of the general bill, so far as that is concerned.

WILLIAM L. NANCE.

The PRESIDENT *pro tempore*. The next bill on the Calendar is the bill (S. No. 5) for the relief of William L. Nance, which will be passed over because reported adversely from the Committee on Claims. The next bill on the Calendar will be announced.

Mr. FRYE. Why was Senate bill No. 5 passed over?

The PRESIDENT *pro tempore*. Because it was reported adversely.

Mr. FRYE. But is it not necessary to dispose of those cases when reached?

The PRESIDENT *pro tempore*. The bill is subject to an objection, and such bills are not usually called. The Chair can have the bill called.

Mr. HOAR. I desire to suggest to the Chair that while the adverse report placed on the Calendar indicates that there is a difference of opinion about the acceptance of the report (otherwise it would be accepted when first submitted) it does not necessarily indicate that there is a desire of any Senator that it should not be discussed and explained under the five-minute rule. It would be much more convenient to the Committee on Claims certainly, of which I am a member, to have the cases taken up where there are adverse reports, if no Senator objects. I desire to make that suggestion to the Chair.

The PRESIDENT *pro tempore*. The Chair would state, from information, that an adverse report is considered as an objection, and that bills reported adversely have always gone over when reached; that they have never been considered under the Anthony rule.

Mr. HOAR. The Chair will see that an adverse report is not an objection, if I may be permitted to differ with the Chair.

The PRESIDENT *pro tempore*. The bill will be called.

The ACTING SECRETARY. A bill (S. No. 5) for the relief of William L. Nance.

Mr. INGALLS. As an adverse report from the committee has always been considered equivalent to an objection, I object to the consideration of that bill.

The PRESIDENT *pro tempore*. The Chair supposed it would be objected to. The next bill on the Calendar will be announced.

THOMAS F. RILEY.

The bill (S. No. 453) for the relief of Thomas F. Riley was announced as next in order upon the Calendar.

Mr. EDMUNDS. That is one of those disputable cases. It had better go over.

The PRESIDENT *pro tempore*. The bill goes over on objection.

FRANK P. GROSS.

The bill (S. No. 83) for the relief of Lieutenant Frank P. Gross was

considered as in Committee of the Whole. It authorizes the Secretary of War to ascertain the value of the property lost by First Lieutenant Frank P. Gross, United States Army, by the burning of his quarters at Fort Clark, Texas, on or about the 19th of April, 1869, without fault or neglect on his part, and appropriates the amount so ascertained for that purpose; but no allowance shall be made for any property except what was useful, necessary, and proper for such an officer while in quarters engaged in the public service, or exceeding in amount \$2,000.

Mr. EDMUNDS. Let us hear the report.

Mr. PLUMB. I desire to ask the attention of the Senator who reported the bill to its wording. I think it does not cover the point that he perhaps had in view. The bill seems to decide that the loss of clothing had been without the fault of Lieutenant Gross, and leaves only to the Secretary of War the determination of the amount of that loss. I suppose it must have been intended that the Secretary of War should determine the two questions, first, whether the loss was without the fault of Lieutenant Gross; and, second, the amount of loss. I suggest that the bill should be amended in that particular so as to give the Secretary authority to investigate both questions, because no investigation, in the very nature of things, could have been had satisfactorily before the committee.

The PRESIDENT *pro tempore*. The report will be read at the request of the Senator from Vermont. The Chair would inform the Senator from Vermont, however, that this is a long report.

Mr. EDMUNDS. That is just the reason why I wish to hear it.

The PRESIDENT *pro tempore*. The report will be read.

The Principal Legislative Clerk proceeded to read the report submitted by Mr. COCKRELL January 17, 1882, as follows:

The Committee on Military Affairs, to which was referred the bill (S. No. 83) for the relief of Lieutenant Frank P. Gross, has carefully considered the same, and submits the following report:

A bill was introduced in the Senate in the Forty-sixth Congress for the relief of First Lieutenant Frank P. Gross, and was referred to the Committee on Military Affairs, which committee on March 30, 1880, submitted the following report thereon, to wit:

"This bill directs the Secretary of the Treasury to pay to First Lieutenant Frank P. Gross, United States Army, \$2,000, in full for all losses sustained by him by the burning of his quarters at Fort Clark, Texas, about April 19, 1869. Your committee referred the bill to the Secretary of War for information, and received from him the following communication:

"WAR DEPARTMENT,
"Washington City, May 16, 1879.

"SIR: I have the honor to return Senate bill 74, for the relief of Lieutenant Frank P. Gross, Ninth Cavalry, inclosed in your letter of the 1st ultimo, and to invite your attention to the inclosed report of the Adjutant-General, furnishing all the information in the case in possession of this Department.

"As it appears this officer lost all his personal effects by the burning of his quarters at Fort Clark, it would seem that the bill should receive favorable consideration.

"Very respectfully, your obedient servant,

"G. W. MCCRARY,
"Secretary of War.

"Hon. F. M. COCKRELL,
"Committee on Military Affairs, United States Senate.

"ADJUTANT-GENERAL'S OFFICE,
"Washington, May 15, 1879.

"SIR: I have the honor to return, herewith, communication from Hon. F. M. COCKRELL, of the Senate Military Committee, dated April 1, 1879, covering Senate bill 74, for the relief of Lieutenant F. P. Gross, and to report as follows:

"No information as to the fire at Fort Clark, Texas, on or about April 19, 1869, by which the quarters of Lieutenant Gross were destroyed, has been found, upon examination, in this office or that of the Quartermaster-General, or at post or department headquarters.

"It having been reported by the present post commander that Captain John M. Bacon, Ninth Cavalry, was commanding the post, and Lieutenant F. P. Gross, Ninth Cavalry, post adjutant, at the date in question, the matter was referred to Colonel Bacon, (now aid-de-camp to the General of the Army,) who reports as follows, under date of May 14, 1879:

"Respectfully returned to the Adjutant-General, with the information that I was present and commanding the post at Fort Clark, Texas, on or about April 19, 1869, at which time the quarters occupied by Lieutenant F. P. Gross, Ninth United States Cavalry, were destroyed by fire.

"Lieutenant Gross had been regularly assigned for quarters to a log house of two rooms, with thatched roof: the fire originated in the roof, composed of dry grass or straw, by sparks from his cooking-stove, and burned with such rapidity that the occupants (Lieutenant Gross, wife, and daughter) only escaped with their lives, losing their household goods and personal effects.

"The efforts of the garrison were directed (to 7), and succeeded in, saving the valuable hospital, the nearest building.

"Lieutenant Gross and family were the only sufferers by the fire."

"I have the honor to be, sir, very respectfully, your obedient servant,
"E. D. TOWNSEND,
"Adjutant-General.

"The Hon. SECRETARY OF WAR.

"The claimant, Gross, filed with his bill the affidavit of Colonel John M. Bacon, dated January 1, 1879, who testifies that Lieutenant Gross was regularly assigned to the quarters, and that they were destroyed by fire on or about April 19, 1869, and that nearly all the personal effects of Lieutenant Gross and family were destroyed at the same time, and that the fire was purely the result of accident, caused by the combustible material composing the roof of the building; also, the affidavit of F. S. Davidson, first lieutenant Ninth Cavalry, and late acting assistant quartermaster, Fort Clark, Texas, who testifies that the quarters of Lieutenant Gross at Fort Clark, Texas, were burned on or about April 19, 1869, and, with the building nearly all his personal effects, together with the wardrobe of his wife and child, and that the fire was the result of accident, and entirely unavoidable on account of the inflammable material used in roofing the building, and that the building was old and almost entirely unserviceable as officers' quarters, having been used by troops of the Fourth Cavalry and others as barracks. Also, the affidavits of Orville Burke, late captain Company C, First United States Infantry, and of Jennie Burke, his wife, each dated March 25, 1879. Captain Burke testifies that he was stationed at Fort Clark, Texas, and that on or about April 19, 1869, the quarters at that post regularly assigned to and occupied by Lieutenant Gross were destroyed by

fire, and that, his quarters being contiguous, he was the first to discover the fire in the thatching composing the roof, and rushed into the quarters and found the ceiling of the quarters already on fire, being composed of muslin or canvas, and that burning pieces were falling, so that, although every effort was made, only a trunk containing a few articles was saved; and that, in his opinion, the fire occurred from sparks blown from the kitchen chimney of the hospital building adjacent, and that when he first discovered the blaze it was near the comb of the roof at the end next to the hospital; and that a strong wind was blowing at the time; and that he was well acquainted with Lieutenant Gross and his family and household affairs, and knows that Gross 'was well supplied with all articles necessary to the comfort of his family, and that he was especially well supplied with clothing, military and otherwise, and that his wife and daughter were still more abundantly provided for, all of which, with trifling exceptions, were consumed with the quarters,' and that he is satisfied that Gross's loss could not have been less than \$2,000, and that it was not the result of carelessness or negligence on the part of any member of his family; and that, from the knowledge of the facts, the said fire was the immediate result of neglect on the part of the Government—on the part of its officers—in assigning Lieutenant Gross to quarters which were so peculiarly liable to be destroyed by fire, owing to their proximity to the hospital kitchen flue already mentioned, and the thatching of grass or straw of which the roof was composed. Mrs. Jennie Burke testifies that she was intimate with the family of Lieutenant Gross, and had personal knowledge of the affairs of his family, and 'that in household effects they were abundantly supplied for a long residence on the frontier, and that in the matter of clothing the family was particularly well supplied, especially so in the case of Mrs. Gross, who had many valuable dresses, and in other matters of dress making up a lady's wardrobe she was equally well supplied; so that from her knowledge of the expense attending the purchase of such an outfit as they had, the loss of the family by fire must have been considerably above \$2,000;' and 'that a very small quantity of all they possessed was saved from the flames;' and that the quarters were old and dilapidated, roofed with a thatching of grass and ceiled with muslin, and had low chimney-flues, barely extending two feet above the thatching, and she believes the fire originated from a spark being blown into the thatching; and that Lieutenant Gross and family were very careful about fire, and that 'it occurred through no want of care on their part, but was liable to be burned at any time by flying sparks from the flues of the hospital kitchen, over which Lieutenant Gross had no control.'

"Lieutenant Gross furnishes the following schedule of property lost by said fire, to-wit:

Mr. COCKRELL. I suggest that the list of property lost need not be read.

Mr. EDMUNDS. There is no need of that being read.

The PRESIDENT *pro tempore*. That part of the report will be omitted.

The Principal Legislative Clerk continued the reading of the report, as follows:

"I certify on honor that the foregoing enumerated articles were burned with my quarters at Fort Clark, Texas, at the time above mentioned, and that the prices set opposite each item are correct and just to the best of my recollection and belief. I further certify that my loss was considerably greater than this paper shows, as, after the lapse of so many years, neither my wife nor myself can recall every article destroyed, and many will not admit of being inventoried, so I confidently believe that \$200 in addition to the above would not cover our entire loss."

"FRANK P. GROSS,

"First Lieutenant, United States Army. (Retired.)"

"Your committee find that the said fire occurred without any fault or negligence on the part of said Gross or family, and could not have been prevented by the exercise of reasonable care and attention and due diligence on the part of said Gross, and that he can in no wise be chargeable with any responsibility therefor.

"The quarters occupied by him were old and of exceedingly inflammable material, very easily ignited, and were set on fire by sparks from the hospital chimneys, which was liable to occur at any time when the wind was blowing in the direction from the hospital toward the quarters.

"Your committee further find that Lieutenant Gross was assigned to these quarters, and they were the only shelter, protection, or quarters furnished him, and under his orders he had no discretion but to occupy them.

"Your committee gave due consideration to this case and made as thorough examination as time and opportunities would afford as to the policy and precedents of the Government in similar cases. Your committee find that by 'An act for the relief of sundry persons in the service of the United States in consequence of the destruction of their tools by fire at the navy-yard, approved March 3, 1815,' (6 Statutes at Large, page 155,) a sum not to exceed \$5,000 was appropriated to pay 'all claims for losses that have been sustained by artificers, mechanics, and other workmen in the employ or service of the United States for tools and other articles essential to and connected with their trade and occupation which have been destroyed by fire in consequence of burning the buildings of the navy-yard in the city of Washington;' and that by 'An act for the relief of John Crosby and John Crosby, jr., approved April 26, 1816,' (6 Statutes at Large, pages 167 and 168,) 'the proper accounting officers of the Navy Department were directed to settle the claim of John Crosby and John Crosby, jr., on account of the destruction by fire of their store-house, goods, and wharf in the town of Hampden, in the State of Massachusetts, and to allow them in settlement thereof the value of said property destroyed as aforesaid.'

"Your committee further find that the following acts were passed by Congress in 1832, to-wit:

Mr. EDMUNDS. I do not ask the Secretary to read the acts of Congress that are supposed to be similar to this. He can pass those over, as far as I am concerned.

The PRESIDENT *pro tempore*. They will be passed over.

The Principal Legislative Clerk resumed and concluded the reading of the report, as follows:

"With this long list of precedents, your committee does not feel willing to make Lieutenant Gross an exception. Your committee holds that no allowance should be made for any property not necessary and proper for Lieutenant Gross while in the service, in the line of duty; and not being able to determine from the evidence what articles claimed and destroyed were useful, necessary, and proper for such an officer while in the public service, or the exact value thereof, your committee recommend a substitute, by striking out all after the enacting clause and inserting the following, to-wit: 'That the Secretary of War is hereby authorized and required to ascertain the value of the property lost by First Lieutenant Frank P. Gross, United States Army, by the burning of his quarters at Fort Clark, Texas, on or about the 19th day of April, 1869, without fault or neglect on his part, and the amount so ascertained is hereby appropriated for that purpose: *Provided*, That no allowance be made for any property except what was useful, necessary, and proper for such an officer while in quarters, engaged in the public service, or exceeding in amount the sum of \$2,000.'

"Your committee recommend the passage of said substitute."

It will be seen that the bill now under consideration is an exact copy of the sub-

stitute recommended and adopted by the committee in its report to the Forty-sixth Congress, which substitute passed the Senate on the 5th day of June, 1880.

The committee has again carefully considered the question, and sees no reason why it should not adhere to the report and findings of the former committee.

The bill is therefore reported back to the Senate without amendment, and with the recommendation that it do pass.

Mr. PLUMB. I move to amend the bill by striking out, in line 7, after the words "1839," the words:

Without fault or neglect on his part; and the amount so ascertained is hereby appropriated for that purpose.

And inserting in lieu thereof the following:

And whether the same was on account of the fault or neglect of the Government, and if with or on account of the neglect of the Government, the amount of said loss is hereby appropriated for.

I have glanced cursorily over the acts which are cited as precedents for this measure, and I do not think that they sustain the view of the committee on this bill. None of them assumes that the appropriation is made on account of the lack of neglect merely on the part of the person who suffered the loss, but they stand on the ground of direct neglect on the part of the Government.

The report in this case goes on to say, among other things tending to establish the liability of the Government, that this officer was quartered in a building which had a thatched roof. That would be one degree of neglect probably on the part of the Government, and another would be having a building for officers' quarters that could be burned at all. It would not be a neglect on the part of the officer that he was quartered in a building which could be burned. It might not be neglect on the part of the Government to furnish an officer that kind of a building as his quarters.

I do not understand that the Government becomes an insurer against all contingencies of the service which may result in the loss of property to an officer or to a private soldier. It would seem to be going a great way to say that the Government should be liable on the sole condition that the officer himself has been guilty of no neglect. The neglect might have been that of a servant; it might have been that of a brother officer; it might have been that of some person entirely disconnected with the military service; and yet if it could be shown that in his case it was not the neglect of the officer who suffered the loss the Government would be liable, although it might be any one of a dozen persons over whom the Government had no responsibility whatever.

This principle if once conceded would go a great way. A man may have his mess kit, his clothing, his camp and garrison equipage piled up in a wagon, and it may be lost through the neglect or fault of the teamster, or of some other person; it may be stolen; and in that event you would have established a rule which would relieve an officer from any possible care that he would have for his own effects. He would have no inducement whatever to exercise any kind of diligence or care in regard to the loss of his property, because the Government would be an insurer against everything except his own positive acts of neglect, and thus the Government would be paying for second-hand clothing, for the various articles broken or destroyed upon the frontier posts, and would become the proprietor in that way, as insurance companies become the proprietors in their way, of all the articles which might be destroyed or which had ceased to be of any use to the various officers who had bought them and who did not care any longer to be responsible for them or to have them in use.

I think that if the Government is to be under any liability at all, it ought to be on account of the affirmative act or the actual positive neglect of the Government of a kind and description which the officer himself could not avoid by the exercise of a reasonable diligence and care on his part; and beyond that certainly there ought to be no liability whatever.

Mr. COCKRELL. The Committee on Military Affairs simply paraded a long line of precedents, beginning in 1815 and continuing uninterruptedly and unbrokenly up to this time, and they do not establish the principle that the Government is an insurer of the property of its officers. In this case the question was investigated by the committee as to whether Captain Gross was at fault, whether this fire occurred by reason of fault or neglect on his part, and found as a fact that it did not so occur. If it had occurred by reason of any fault or neglect on the part of his family or his servants or employees, it would have been his own act in the estimation of the committee, and they would not, therefore, have exculpated him from fault or neglect.

I have no objection individually that the question of default or neglect should be submitted to the Secretary of War, but the committee has already passed upon that question with the evidence before it, and this bill is better guarded than almost any such bill that has been passed. Most of the bills that have heretofore been passed did not restrict the Secretary of War as to the character of articles to be paid for. This bill does restrict him:

Provided, That no allowance be made for any property except what was useful, necessary, and proper for such an officer while in quarters, engaged in the public service, or exceeding in amount the sum of \$2,000.

The Senator from Kansas seems to misunderstand the position of the committee in regard to the question of fault or neglect. If there had been fault or neglect on the part of Captain Gross's family, or any employé of his, it would have been considered by the committee

as his fault and neglect; and therefore I do not see any necessity for the broad amendment which has been offered by the Senator from Kansas. At his suggestion I had proposed individually, not as representing the Military Committee, to offer this amendment myself which would meet, I think, more fully than the Senator's amendment does, any question in regard to negligence. After "1869," in line 7, insert:

And whether such burning occurred without fault or neglect on his part; and if so, the amount so ascertained is hereby appropriated for that purpose.

I suggest to the Senator that that amendment will fully cover the question.

Mr. PLUMB. That does cover one branch of the question, but does not cover the point which is raised as to whether it may not have been the neglect of somebody else for whom the Government was not responsible at all.

The PRESIDENT *pro tempore*. Will the Senator from Kansas state his amendment again?

Mr. PLUMB. After "1869," in line 7, I move to insert:

And whether the same was on account of the fault or neglect of the Government, and if with or on account of the neglect of the Government, the amount of said loss is hereby appropriated.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Kansas.

The question being put, there were, on a division—ayes 11, noes 22; no quorum voting.

Mr. EDMUNDS and Mr. PLUMB called for the yeas and nays.

Mr. TELLER. I think if we have another standing vote there will be a quorum.

Mr. EDMUNDS. I think we had better have the yeas and nays; it is an important question.

The yeas and nays were ordered; and being taken, resulted—yeas 24, nays 35; as follows:

YEAS—24.			
Bayard,	Edmunds,	McDill,	Sawyer,
Blair,	George,	Morrill,	Slater,
Brown,	Groome,	Plumb,	Teller,
Butler,	Ingalls,	Pugh,	Vance,
Camden,	Jackson,	Rollins,	Van Wyck,
Coke,	Kellogg,	Saulsbury,	Vest.
NAYS—35.			
Aldrich,	Davis of W. Va.,	Hawley,	Miller of N. Y.,
Allison,	Dawes,	Hoar,	Mitchell,
Anthony,	Ferry,	Johnston,	Platt,
Beck,	Frye,	Jonas,	Sewell,
Call,	Garland,	Jones of Florida,	Sherman,
Cameron of Wis.,	Grover,	Lapham,	Voorhees,
Cockrell,	Hampton,	McMillan,	Walker,
Conger,	Harris,	Maxey,	Windom.
Davis of Illinois,	Harrison,	Miller of Cal.,	
ABSENT—17.			
Cameron of Pa.,	Hill of Colorado,	McPherson,	Saunders,
Fair,	Hill of Georgia,	Mahone,	Williams.
Farley,	Jones of Nevada,	Morgan,	
Gorman,	Lamar,	Pendleton,	
Hale,	Logan,	Ransom,	

So the amendment was rejected.

Mr. COCKRELL. Now I offer, not as the representative of the Military Committee, but simply as an individual, and in deference to the wishes of the Senator from Kansas, this amendment, which I have no doubt will result in finding just what the committee has found. That committee has found that there was no fault or neglect; still, individually, I am willing to have that question hereafter left to the Secretary of War. After "1869" I would insert "and whether such burning occurred," and after the word "and" in line 8, to insert "if so;" so as to read:

That the Secretary of War is hereby authorized and required to ascertain the value of the property lost by First Lieutenant Frank P. Gross, United States Army, by the burning of his quarters at Fort Clark, Texas, on or about the 19th day of April, 1869, and whether such burning occurred without fault or neglect on his part; and, if so, the amount so ascertained is hereby appropriated for that purpose.

Mr. MAXEY. That question was thoroughly examined by the committee and it is a question for judicial settlement. It was settled by the committee with all the facts before them. I as one member of that committee do not care to submit my judgment on that question to the revision of the Secretary of War or anybody else in the nature of a court of appeal. The question was settled and properly and wisely, as I believe, by the committee.

Mr. COCKRELL. The Senator from Texas will permit me in his time to say that I stated that fact heretofore that it was fully investigated by the committee and that the committee found as a fact that there was no fault or neglect on the part of the officer. I do not insist on the amendment, but I suggest it.

Mr. MAXEY. The point I make is that that question having undergone judicial investigation by the committee, it is not proper to submit their conclusion for revision to any Secretary as an appellate court; and I am opposed to it.

Mr. EDMUNDS. I should like to know on what ground it is that the United States is called upon to be the insurer of every officer's property in all the quarters over the whole of this Republic? I should be glad to get some information upon that point. Here it appears on the report of the committee, that this officer with his wife and children was occupying quarters at a military post. By a mere

accident the quarters took fire because the roof was thatched with straw or some kind of thatch. We all know that quarters take fire when roofs are not thatched with straw; we know that quarters take fire when they are covered with slate; we know that accidents by fire will continually happen. Now what I wish to know is upon what ground it is that the United States on the principle of this bill is to become an insurer of the property of every person engaged in its service?

Mr. HAWLEY. I with great deference say anything in reply to a question from such a lawyer as the Senator from Vermont, [Mr. EDMUNDS,] but I think that I might suggest this as one reason: that the officer is at no liberty whatever to choose his quarters. It strikes me that that is an equitable reason. If he were at liberty to say "I will go and take an adobe house with a slate roof out there, a good fire-proof building and take good care of my family," it would be quite another question; but he goes exactly where he is assigned.

Mr. PLUMB. Similarly everybody in that country is obliged to take the best hotel and the only hotel he can get; for there is but one hotel, and consequently the hotel keeper ought to be liable for the same reason.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Missouri, [Mr. COCKRELL.]

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD P. VOLLUM.

The bill (S. No. 293) for the relief of Edward P. Vollum was considered as in Committee of the Whole. It proposes to require the Secretary of War to ascertain the value of the property lost by Assistant Surgeon Edward P. Vollum, of the Army, who, while under orders of the War Department, was on board the brig Fawn, bound for Fort Umpqua, Oregon Territory, when she was wrecked, on the 21st of November, 1856; and the amount so ascertained is to be paid; but no allowance is to be made for any property except what was useful, necessary, and proper for such an officer while on the voyage and engaged in the public service, and the aggregate amount allowed is not to exceed \$700.

Mr. EDMUNDS. Let us hear the report.

The PRESIDENT *pro tempore*. The report will be read.

The Principal Legislative Clerk read the following report, submitted by Mr. COCKRELL on the 17th of January:

The Committee on Military Affairs, to whom was referred the bill (S. No. 293) for the relief of Edward P. Vollum, have duly considered the same, and submit the following report:

In the Forty-sixth Congress a similar bill was before your committee, and the following report was made, to wit:

"In the Forty-fifth Congress a similar bill was introduced and referred to the Committee on Military Affairs, and the following report was then made by said committee to the Senate:

"This bill requires the Secretary of War to ascertain the value of the property lost by Assistant Surgeon Edward P. Vollum, who, while under orders of the War Department, was on board the brig Fawn, bound for Fort Umpqua, Washington Territory, when she was wrecked, on the 21st day of November, 1856, and provides for the payment of such sum: *Provided*, That no allowance be made for any property except what was useful, necessary, and proper for such an officer while on the voyage and engaged in the public service.

"Your committee referred the bill to the Secretary of War, and received full information touching the premises, and through him the following report of the Adjutant-General, to wit:

"WAR DEPARTMENT,
"ADJUTANT-GENERAL'S OFFICE.
"Washington, April 4, 1878.

"SIR: I have the honor to return herewith communication of March 26, 1878, from Hon. George E. Spencer, chairman Senate Committee on Military Affairs, and accompanying petition of Assistant Surgeon (now Surgeon) E. P. Vollum, for reimbursement of value of personal property lost by the wreck of the brigantine Fawn, in November, 1856, and to report as follows:

"Major-General Wool's report of the loss of the Fawn, (laden with military stores, and on which Surgeon Vollum was a passenger,) with the papers therein referred to, is published in Ex. Doc. No. 76, House of Representatives, Thirty-fourth Congress, third session, pages 250-252.

"The reports in question, together with the copies of letters transmitted herewith, furnish all the information bearing on Surgeon Vollum's petition afforded by the records of this office.

"I have the honor to be, sir, very respectfully, your obedient servant,

"E. D. TOWNSEND,
"Adjutant-General.

"The honorable SECRETARY OF WAR."

"FORT UMPQUA, O. T., December 16, 1856.

"SIR: I have the honor very respectfully to lay before you the following statement and request:

"On the 21st day of November last, while traveling to this post, pursuant to Special Orders No. 117, dated Headquarters Department of the Pacific, Benicia, Cal., October 16, 1856, I was shipwrecked off the mouth of the Siuslaw River, O. T., and sustained a loss in personal property to the amount of \$700.

"I respectfully request that you will call the attention of the Secretary of War to my loss, and the circumstances under which it occurred, with a request that he present a claim to Congress in my behalf for the above amount.

"I have the honor, very respectfully, to be your obedient servant,

"EDW. P. VOLLUM,
"Assistant Surgeon U. S. A.

"Col. S. COOPER,
"Adjutant-General U. S. A., Washington, D. C.

"[Indorsements.]

"Respectfully transmitted, with the earnest recommendation that it may meet with the support of the proper authorities. Between this place and San Francisco

there is no means of communication upon which an officer can rely for getting from one to the other point except sail vessels.

"Very respectfully,

"J. STEWART,

"Captain Third Artillery, Commanding.

"Approved and respectfully forwarded.

"JOHN E. WOOL, Major-General.

"For letter April 21, 1857—reply to foregoing—see page 3.

"ADJUTANT-GENERAL'S OFFICE,
"Washington, January 7, 1858.

"SIR: At the request of Assistant Surgeon E. P. Vollum, medical department, United States Army, I have the honor herewith to transmit to you, as chairman of the Committee on Military Affairs on the part of the Senate, the memorial of that officer for reimbursement of losses sustained by him by the wreck of a transport upon which he was proceeding from San Francisco, California, to Umpqua City, Oregon, in the month of November, 1856.

"I am, sir, very respectfully, your obedient servant.

"S. COOPER, Adjutant-General.

"Hon. JEFFERSON DAVIS,

"Chairman Military Committee, United States Senate,
"Washington, D. C.

"ADJUTANT-GENERAL'S OFFICE,
"Washington, January 7, 1858.

"SIR: The memorial and accompanying papers forwarded with your letter of November 1, 1857, have been transmitted to Hon. Jefferson Davis, chairman of the Committee on Military Affairs on the part of the Senate, this being the disposition of them deemed to be the best for the attainment of the purpose you have in view.

"I am, sir, very respectfully, your obedient servant.

"S. COOPER, Adjutant-General.

"Assistant Surgeon E. P. VOLLUM, United States Army,
"Fort Umpqua, O. T.

"ADJUTANT-GENERAL'S OFFICE,
"Washington, April 29, 1858.

"SIR: I transmit herewith a letter which has been received from Assistant Surgeon E. P. Vollum, United States Army, inclosing an account in detail of his losses at sea in November, 1856, to be placed with the memorial of that officer for reimbursement of said losses, which was sent to the Military Committee of the Senate with my letter of January 7, 1858.

"I am, sir, very respectfully, your obedient servant.

"S. COOPER, Adjutant-General.

"J. F. CALLAN, Esq.,
"Clerk Military Committee, Senate, Washington, D. C.

"ADJUTANT-GENERAL'S OFFICE,
"Washington, April 21, 1857.

"SIR: Your letter of the 16th of December last relative to the losses you sustained by shipwreck in the month of November, 1856, was not received until the 2d ultimo, too late to permit any action in the matter at the late session of Congress.

"I am now instructed to inform you that your petition for relief should be made direct to Congress, and may be addressed to any member with whom you may be acquainted or to the chairman of the military committee of either branch.

"I am, sir, very respectfully, your obedient servant.

"S. COOPER, Adjutant-General.

"Assistant Surgeon E. P. VOLLUM, U. S. A.,
"Fort Umpqua, O. T.

"The order under which Assistant Surgeon Vollum acted is as follows, to wit:
"[Special Order No. 117.]

"HEADQUARTERS DEPARTMENT OF THE PACIFIC,
"Benicia, California, October 16, 1856.

"[Extract.]

"2. Assistant Surgeon Edward P. Vollum will proceed to the post on the Umpqua, Oregon Territory, and relieve Assistant Surgeon Milhaw, who will then comply with the instructions given in Special Orders No. 44 of May 1, 1856, from the War Department.

"By command of Major-General Wool.

"W. W. MACKALL,
"Assistant Adjutant-General.

"WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
"Washington, April 4, 1878.

"Official extract.

"L. H. PELOUZE,
"Assistant Adjutant-General.

"Dr. Vollum duly presented his petition for relief in 1857, 1858, 1861, 1864, and then in 1878, and at one time a favorable report was made in the Senate, but no final action had. No action seems to have been had at other times. Dr. Vollum has therefore not been negligent in presenting his claim.

"Dr. Vollum was on board this vessel under orders to go from California to Umpqua, Oregon, the only mode of conveyance at that time, and was in the discharge of official duty; and without fault or neglect on his part, and unavoidably, the vessel was wrecked and his necessary property—personal effects—was wholly lost.

"There is a long line of precedents giving relief in similar cases.

"Your committee believe Dr. Vollum is fairly entitled to relief, and report back the bill without amendment and recommend its passage.

"Your committee have again given due consideration to this claim, and find the foregoing report correct.

"Surgeon Vollum, in his letter of December 16, 1856, to the Adjutant-General, states the amount of his loss at \$700, and asks the presentation of a claim for that amount. Your committee recommend the passage of the bill herewith reported back to the Senate with an amendment added to the bill in the following words, 'and that the aggregate amount allowed shall not exceed the sum of \$700.'

"The bill so reported passed the Senate, and was favorably reported in the House. (See Report No. 1723, H. R., made June 9, 1880.)

"Your committee adopt said report, and recommend the passage of said bill.

"The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The bill (H. R. No. 721) to authorize the appointment of V. McNally as an ordnance storekeeper in the Army, was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. No. 3548) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1883, and other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The bill (H. R. No. 4439) to amend the Revised Statutes of the United States establishing the times, places, and provisions for holding terms of the district and circuit courts in the northern district of New York, was read twice by its title, and referred to the Committee on the Judiciary.

THANKS TO MR. BLAINE.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolutions of the House of Representatives:

Resolved, (the Senate concurring.) That the thanks of Congress be presented to Hon. James G. Blaine, for the appropriate memorial address delivered by him on the life and services of James Abram Garfield, late President of the United States, in the Representatives Hall, before both Houses of Congress and their invited guests, on the 27th day of February, 1882; and that he be requested to furnish a copy for publication.

Resolved, That the chairman of the joint committee appointed to make the necessary arrangements to carry into effect the resolution of this Congress in relation to the memorial exercises in honor of James Abram Garfield be requested to communicate to Mr. Blaine the foregoing resolution, receive his answer thereto, and present the same to both Houses of Congress.

Mr. SHERMAN. I move that the Senate concur in the resolutions of the House.

The resolutions were concurred in unanimously.

PERMANENT AND INDEFINITE APPROPRIATIONS.

Mr. PLUMB. I submit an amendment to the bill (S. No. 403) to repeal certain laws relating to permanent and indefinite appropriations, passed over this morning, and I move that it be printed.

The motion was agreed to.

POST-ROUTE BILL.

The PRESIDENT *pro tempore*. The hour of half past one having arrived, it is the duty of the Chair to announce the unfinished business, which is Senate bill No. 71.

Mr. FERRY. I gave notice last week that I would this morning as soon as I could get the floor, call up the House post-route bill with the Senate amendments. It is very important that this bill be passed if these routes are to be included in this spring's lettings. I ask the Senator from California to yield to me for a moment for the purpose of calling up the bill, and I think it will not take over fifteen minutes to adopt the amendments and pass the bill. There is no need of reading the bill as it came from the House. It has not been the practice of the Senate to read such bills.

The PRESIDENT *pro tempore*. The bill will have to be read.

Mr. FERRY. Unless by unanimous consent. It is simply a post-route bill. The amendments can be read. Every Senator's State is interested in having these routes included in the spring lettings, and unless the bill is passed soon they will not be.

Mr. INGALLS. I have no objection to the bill being taken up, but I shall object to any bill being passed in the Senate without being once read at length.

The PRESIDENT *pro tempore*. It will be read, of course.

Mr. FERRY. The practice heretofore has been frequently not to read the bill; but there is no use antagonizing the Senator from Kansas when he objects.

The PRESIDENT *pro tempore*. Will the Senator from California consent to having the special order temporarily laid aside?

Mr. MILLER, of California. I would consent with the understanding that the post-route bill is not to take more than fifteen or twenty minutes.

The PRESIDENT *pro tempore*. The Chair cannot be a party to such an understanding; but it probably will not take over an hour.

Mr. FERRY. If it takes over half an hour, then the Senator from California may interrupt it.

Mr. MILLER, of California. With that understanding, I give way.

Mr. VOORHEES. I am not advised of the exact condition of the post-route bill or what the arrangements are that have been agreed upon. If there are certain amendments that I have heard spoken of recently in the bill, I shall antagonize it and will call for a full hearing.

Mr. FERRY. I would answer the Senator from Indiana by saying that there is no appropriation in this bill; it is strictly the establishment of post-routes.

Mr. VOORHEES. Nothing about the mail service?

Mr. FERRY. Nothing pertaining to the mail service.

Mr. VOORHEES. I have no objection, then, of course.

Mr. FERRY. If the bill takes up more than half an hour, I hope the Senator from California will interrupt its further consideration.

Mr. DAVIS, of West Virginia. Is there anything in the bill except the establishment of post-routes?

Mr. FERRY. None at all; it is simply the semi-session post-route bill. We generally pass two such bills, one about the middle of the long session and the other at the close. This is the usual bill passed, including all the new routes.

Mr. VOORHEES. I gave notice last week that at this hour I should ask the Senate to hear some remarks on the subject of the proposed construction of a new library building; but I will not antagonize the Senator from California with them now. I wish to say, however, that when he concludes this afternoon, unless he occu-

pies more time than I expect he will, and unless somebody very much desires to go on with that discussion, I shall take the floor then on the subject indicated if it be the pleasure of the Senate.

Mr. FERRY. Mr. President, I suggest that the post-route bill be taken up.

The PRESIDENT *pro tempore*. If there be no objection the bill indicated by the Senator from Michigan will be taken up.

Mr. FERRY. I suggest that in the reading the Secretary when he comes to an amendment of the Committee on Post-Offices and Post Roads will so state, and that the amendments may be concurred in as we pass along in the reading.

Mr. COCKRELL. And let any amendments be offered.

Mr. FERRY. After the close of the regular amendments of the Post-Office Committee.

Mr. COCKRELL. Let them follow each State as its routes are read.

Mr. FERRY. Certainly; they are classified under each State.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. No. 3844) to establish post-routes.

The Principal Legislative Clerk proceeded to read the bill. The first amendment reported by the Committee on Post-Offices and Post-Roads was, under the head of "Alabama," to insert, after line 18:

From Coltonville to Honey.
From Dowty to Herndon.
From Gadsden to Masingale.
From Gainestown to Choctaw Bluff.
From Mobile to Spring Hill.
From Somerville to Bluff City.
From Southern to Bean Rock.
From Estill's Fork, Alabama, to Winchester, Tennessee.
From Cuba Station, in Sumter County, to Kinterbish, in the same county.

The amendment was agreed to.

The next amendment was, after line 28, to insert:

ARIZONA.

From Fort Apache to Show Low.
From Greaterville to Crittenden.
From Clifton, Arizona, to Lordsburgh, New Mexico.
From York's Range to Camp Lee, both in Graham County.
From Tucson, via Oracle, American Flag, and Stratton's Rancho (N. O.) to San Catarina, (N. O.)

The amendment was agreed to.

The next amendment was under the head of "Arkansas," to insert after line 51:

From Watalula Springs to Ozark.
From Marshall, Searey County, via Emerson's Mills, to Liberty Springs, Van Buren County.
From Lead Hill, Boone County, via Cottonwood, to Omaha, Boone County.
From Limestone Valley, Newton County, via Boston Mountain, Cassville, and Beech Woods, to Dry Fork, Carroll County.
From Hico, Benton County, via Cincinnati, to Dutch Mills, Washington County.
From Hope, Hempstead County, via Spring Hill and Dooley's Ferry, to Texarkana, Miller County.
From Texarkana, via Booker's Plantation, to Bright Star, in Miller County.
From Linwood, via Garretson's Landing, Swan Lake, Greenbank, Bankhead, and New Gascony, to Linwood, in Jefferson County.
From Witherspoon, Clarke County, via Round Hill, Tulip, and Leas Ferry, to Pine Bluff, in Jefferson County.
From Locksburgh, Sevier County, via Chapel Hill, to Ultima Thule.
From Yellville, via Lone Rock, to Sylamore.

The amendment was agreed to.

The next amendment was under the head of "California," to insert after line 76:

From Upper Lake to Gravelly Valley.
From Princeton to Norman.
From Anaheim to Westminster.
From Leesville to Sulphur Creek, Colusa County.

The amendment was agreed to.

Mr. FERRY. The committee offer the following amendment to come in after line 80, which is in the State of California:

From Tehema, via Riceville, to Orland.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was under the head of "Colorado," after line 85, to insert:

From Villa Grove to Oriental.
From Teller to Michigan.
From Hayden to Lay, Routt County.
From Dillon to Troublesome, Summit County.

Mr. TELLER. That should be "from Dillon to Troublesome, Grand County," and not "Summit County;" and I move that amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. TELLER. I move to insert, after line 89, the following:

From Los Pinos to the Grand River Junction.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, after line 89, to insert:

CONNECTICUT.

From Ivoryton to Centre Brook.
From Silver Mine to Norwalk.
The amendment was agreed to.
The next amendment of the committee was, in line 93, after "Dakota," to strike out "Territory."

Mr. COCKRELL. Why is that stricken out?

Mr. FERRY. That has been the custom. There is no more need of designating Arizona and Dakota as Territories than California and Missouri as States. It is well understood that some are States, the others Territories. I suppose the Senate is always well informed, especially the Senator from Missouri.

Mr. COCKRELL. I simply wanted to know the idea the Senator from Michigan had.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment was, under the head of "Florida," in line 120, to strike out "Cove's" and insert "Cove."

The amendment was agreed to.

The next amendment was, under the head of "Florida," to insert after line 125:

From Acron to Altoona.
From Tampa to Palmetto.
From Welaka to Crescent City.
From South Lake Wier, in Marion County, via Lady Lake, to Leesburgh, in Sumter County.

The amendment was agreed to.

The next amendment was, under the head of "Georgia," after line 141, to insert:

From Thomaston to Waymansville, Upson County.
From Perry to Henderson, Houston County.
From Excelsior, Bullock County, to Swainesborough, Emanuel County.
From Mill Haven, via Mitchellton, to Sylvania, all in Scriven County.
From Eden to Hinely, both in Effingham County.
From Egypt, in Effingham County, via Moore's Mills, to Crumley's, in Bullock County.
From Fleming to Dorchester, Liberty County.
From Scarborough to L. F. Pfeiffer's, in Scriven County.
From Scarborough, in Scriven County, to Dr. E. W. Lane's, in Emanuel County.
From Herndon, in Burke County, to Garfield, in Emanuel County.
From Byron, Houston County, to Taylor's Store, Crawford County.
From Cooley's Station, on the Macon and Brunswick Railroad, to Jeffersonville.

The amendment was agreed to.

Mr. FERRY. After line 161 I move to insert, under the head of "Georgia:"

From Fairburn to Flat Creek, Fayette County.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the committee was, in line 162, after "Idaho" to strike out "Territory."

The amendment was agreed to.

The next amendment was, under the head of "Idaho," after line 175, to insert:

From Salmon City to Leesburgh.

The amendment was agreed to.

The next amendment was, under the head of "Illinois," after line 179, to insert:

From Belle Prairie to Wayne City.
From Fountain Green to Weakley's Store.
From Broadlands to Homer.
From Osage to Elkhville.
From Exeter to Neelyville.
From Hecker to Red Bud.
From Jewett to Wheeler.
From Woodworth to Milford.

The amendment was agreed to.

The next amendment was, under the head of "Indiana," after line 223, to insert:

From Holton to Dupont.
From New Middleton to Elizabeth, in Harrison County.
From Washington to Cumbach, in Davis County.

The amendment was agreed to.

The next amendment was, under the head of "Iowa," after line 232, to insert:

From Alpha (N. O.) to Waucoma.
From Maloy to Delphos.
From Parma to Big Grove.
From Felix to Milo.
From Farley to Cascade.
From Muchachinock to Given.
From Princeton to Cordova.
From What Cheer to Delta.

The amendment was agreed to.

The next amendment was, under the head of "Louisiana," to insert, after line 350:

From Clinton to Live Oak Store, Livingston Parish.

The amendment was agreed to.

The next amendment was, after line 351, to insert:

MAINE.

From Arnold to South Etna.
From North Haven post-office, in Knox County, northerly to Pulpit Harbor.
From Southwest Harbor post-office, in the town of Tremont, around said Southwest Harbor to East Tremont, near Henry E. Newman's dwelling-house.

The amendment was agreed to.

Mr. BECK. I ask the chairman of the Committee on Post-Offices and Post-Roads if he will not accept the following amendment, to strike out all after the enacting clause and insert:

That the Postmaster-General be, and he is hereby, authorized to furnish such mail facilities on any public highway within the limits of the United States as the good of the public service requires.

That is all he does anyhow.

The PRESIDING OFFICER, (Mr. GARLAND in the chair.) The amendment is not in order now.

Mr. FERRY. That question is being considered by the committee, and I hope the proposition will be referred to the committee and come up for consideration there.

Mr. BECK. I did not know the committee were considering it. Let it take that direction.

Mr. FERRY. I hope the Senator will not urge it now.

The PRESIDING OFFICER. The paper will be referred to the Committee on Post-Offices and Post-Roads.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, under the head of "Maryland," to insert, after line 367:

From Pleasantville to High Point, Harford County.
From Snow Hill to Box Iron, Worcester County.

The amendment was agreed to.

The next amendment was, after line 369, to insert:

MASSACHUSETTS.

From Littleton to Littleton Common.

The amendment was agreed to.

The next amendment was, under the head of "Michigan," after line 379, to insert:

From Bay's River, via Nahma and Garden Bay, to Fayette.

The amendment was agreed to.

The next amendment was, under the head of "Minnesota," to insert, after line 394:

From Waconia to Helvetia, in Carver County.
From Carver, via East Union, to J. P. Farrows's, in the county of Carver.

The amendment was agreed to.

The next amendment was, under the head of "Mississippi," after line 401, to insert:

From Green Hill to Campbellsville.
From Johnsonville to Pennwood.

The amendment was agreed to.

The next amendment was, under the head of "Missouri," in line 408, after "Rensaud," to insert "and;" so as to read:

From Eaudevie, via Rensaud and Walnut Shade, to Forsythe.

The amendment was agreed to.

The next amendment was, after line 417, to insert, under the head of "Missouri:"

From Williamsburgh to Calwood.
From Lake Creek to Edward Bahner's residence, in Pettis County.
From Salem, via Nova Scotia Iron Works, to West Fork.
From Pittsville to Elm Spring Baptist Church.
From Calwood to Williamsburgh.
From Mounds to Igo.
From Winfield, Missouri, to Batchtown, Illinois.
From Intha, via Igo and Verdella, to Mounds.
From Longwood, via Woodson, to Marshall.
From Gooch's Mill to Boonville.
From Excelsior Springs, Viginti post-office, to Vibbard.

Mr. FERRY. I offer the following amendment to that amendment, to come in after line 431:

From Trenton, via Shanklin, to Alpha.

The amendment to the amendment was agreed to.

Mr. COCKRELL. I suggest that two of those routes are the same. We want to strike out line 424, "from Calwood to Williamsburgh," because it is embraced in another route. I wish to strike out also line 425:

From Mounds to Igo.

They are both included in other routes.

Mr. FERRY. Very well.

Mr. COCKRELL. Then line 426,

From Winfield, Missouri, to Batchtown, Illinois,

should be stricken out. That has already been established as a route and there is service on it. I thought it was not established, but it was.

Mr. FERRY. It might be that the route between the terminal points might be wanted to run a different way. Would it not be well for it to remain? It does not hurt it even if service is existing.

Mr. COCKRELL. There is daily service already.

Mr. FERRY. If the Senator is satisfied, as it is in his own State, I make no objection.

Mr. COCKRELL. I understood the service was about to be suspended, and I introduced a bill and then referred it to the Department, and received information that the route was established and a daily service existed.

Mr. FERRY. Very well.

Mr. COCKRELL. I move to amend the amendment as I have indicated.

The amendment to the amendment was agreed to.

The amendment of the committee as amended was agreed to.

The reading of the bill was resumed. The next amendment reported by the Committee on Post-Offices and Post-Roads was, under the head of "Nebraska," after line 479, to insert:

From Neligh, in Antelope County, via West Cedar Valley, Clay Ridge, Cumminsville, Clear Creek, Cedar City, late Harrington Post-Office, and little Cedar Valley, to Willow Springs, in Wheeler County.

The amendment was agreed to.

The next amendment was, under the head of "Nevada," after line 497, to insert:

From Lida to Montezuma.

The amendment was agreed to.

The next amendment was, under the head of "New Hampshire," after line 500, to insert:

From Milan to Errol.

The amendment was agreed to.

The next amendment was, after line 501, to insert:

NEW MEXICO.

From Vermejo to Elkins.
From Socorro to Magdalena.
From Silver City to Clairmont, Socorro County.
From Eagle Station to Polomas, Socorro County.
From Lordsburgh, New Mexico, to Clifton, Arizona.

The amendment was agreed to.

The next amendment was, under the head of "New York," in line 513, to strike out "Calton" and insert "Colton;" so as to read:

From Colton, via West Parishville, to Potsdam.

The amendment was agreed to.

The next amendment was, after line 515, under the head of "New York," to insert:

From Altona to Alderbend.

The amendment was agreed to.

Mr. VANCE. I wish to offer an amendment. In the routes for the State of North Carolina I find a word misspelled in line 520, again in line 521, and again in line 523. I am familiar with the locality, and there is evidently a clerical error. The word "Joy," where it occurs in each of those lines, should be "Ivy."

The PRESIDING OFFICER. The corrections will be made if there be no objection.

The reading of the bill was resumed. The next amendment of the Committee on Post-Offices and Post-Roads was, under the head of "North Carolina," after line 533, to insert:

From Columbia Factory, Randolph County, via Brown's Store, to Troy.
From Randleman's Factory, Randolph County, to Greensborough.
From Fayetteville, via Sherwood and Slocum's Store, to Tolarsville.

The amendment was agreed to.

The next amendment was, under the head of "Ohio," after line 609, to insert:

From Bolin's Mills, Vinton County, to Lee, Athens County.

The amendment was agreed to.

The next amendment was, under the head of "Oregon," after line 620, to insert:

From Blalock, via Rockville, Lord Valley, Ladd's Mill, and John Day, to Canyon City.

From Blalock, via Walker's and McFarland's, to Bickleton, Washington Territory.

From Blalock, via Rock Creek, Number Six, and Laidler, to Goldendale, Washington Territory.

From Baker City to Granite.

From Applegate to Granite.

The amendment was agreed to.

The next amendment was, under the head of "Pennsylvania," after line 645, to insert:

From Wharton, via Hull, to Cherry Mills.
From Merwin to Markle.
From Bushville, Pennsylvania, to Flatbrookville, New Jersey.
From Forks Station, via Stanhope (N. O.) or Swift Water, (N. O.) to Halterman's Corners, (N. O.) all in Monroe County.
From Mifflinville, to Hetlerville, both in Columbia County.
From Spring Mills, via Farmer's Mills and Old Fort, to Center Hall.
From Nebraska to Marionville.

The amendment was agreed to.

The next amendment was, after line 657, to insert:

RHODE ISLAND.

From Liberty to Slocumville.

The amendment was agreed to.

The next amendment was, under the head of "South Carolina," after line 668, to insert:

From Nichols to Little Rock, via Gaddy's Mills.
From Bennettsville, South Carolina, to Laurenburgh, North Carolina, via John G. Fletcher's store.
From Laurel Hill, North Carolina, to Bennettsville, South Carolina, via John G. Fletcher's store.
From Laurenburgh, North Carolina, to Red Bluff, South Carolina.
From Mullin's Depot, South Carolina, to Alfordville, North Carolina.
From Chesterfield Court-House, via Sugar Loaf, James W. Ousley and John G. Johnson, to Hartsville.
From Rome to Choppee.
From Irvington, Chesterfield County, to Hornsborough.
From Mayesville to Kingstree.
From Columbia, across Broad River, via Pellwood, (N. O.) in Lexington County, Countsville, and Pine Ridge, in Lexington County, to Wessinger's store, in Newberry County.
From Mullin's, via D. D. McDuffie's, Elly Hay's, Hazy Swamp, and J. H. Stafford's, to Alfordville, North Carolina.
From Mullin's, via D. D. McDuffie's and Elly Hay's, to Kentyre's.
From Pickens Court-House to Burroughs' Mill.
From Monterey, via Dry Grove, to Enright's store, Abbeville County.
From Martin's Depot, via Mountville and Milton, to Martin's Depot.

The amendment was agreed to.

Mr. FERRY. I move to add, after line 696, under the head of "South Carolina :"

From Nine Times, in South Carolina, via McKinney, Cane Creek, Fly Top, and Horse Pasture, to Taxaway, in North Carolina.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Post-Offices and Post-Roads was, under the head of "Tennessee," after line 717, to insert :

From Indian Mound, via Legate, Stewart County, Tennessee, to La Fayette, Christian County, Kentucky.

From Doves, via Iron Mountain, Stewart County, Tennessee, to Golden Pond, Trigg County, Kentucky.

From Jamestown, via Byrdstown, Pickett County, to Mouth of Wolf Creek, Clay County.

From Mockeson to Fall River.

The amendment was agreed to.

The next amendment was, under the head of "Texas," in line 733, to change "Abilem" to "Abilene;" so as to read :

From Abilene, via Phantom Hill, to Mount Blanco.

The amendment was agreed to.

The next amendment was, in line 741, under the head of "Texas," to strike out "Anacoster" and insert "Anacosta;" so as to read :

From Fort Ewell, via Anacosta and Valenzuela, to Carriza Springs.

The amendment was agreed to.

The next amendment was, in line 745, under the head of "Texas," to strike out "Bremend" and insert "Bremond;" so as to read :

From Bremond, via Beck's Prairie, to Franklin.

The amendment was agreed to.

The next amendment was, in line 747, under the head of "Texas," to strike out "and" and insert "to;" so as to read :

From San Angelo to Colorado City.

The amendment was agreed to.

The next amendment was, in line 760, under the head "Texas," after the word "Newton," to strike out "to" and insert "via," and after the word "Creek" to insert "to Belgrade;" so as to read :

From Newton, via Caney Creek, to Belgrade.

The amendment was agreed to.

The next amendment was, in line 763, under the head "Texas," to strike out "Pecon" and insert "Pecan;" so as to read :

From Junction City, via Fort Territt, Pecan Springs, and Wentworth Rancho, to Fort McKavitt.

The amendment was agreed to.

The next amendment was, after line 764, under "Texas," to insert :

From Pattonville, via Parker's Store, to Halesborough.

From Clarksville, Texas, to Locksburg, Arkansas.

From Clarksville, Texas, via Harris Ferry or Red River, to Locksburg, Arkansas.

From Colorado to Mount Blanco.

From Oenaville to Barclay.

From Colorado to Esticado.

From Colorado to Concho.

From Cooper, via Prattville, to Charleston.

From Bennett's Station to Mosely Cross Roads, in Red River County.

From Nameless, Travis County, to Bagdad, Williamson County.

From Florence, via Chaneyville, to Lampasas.

From Milam, in Sabine County, to East Hamilton, in Shelby County.

From Mineral City to Beeville.

From Toyah, Texas, to Seven Rivers, New Mexico.

From Waco to Groesbeck.

From Florence, Williamson County, via Gabriel Mills and Lone Star, to Strickling, Burnett County.

The amendment was agreed to.

The next amendment was, after line 785, to insert :

UTAH.

From Heber to Roy.

The amendment was agreed to.

The next amendment was, after line 787, to insert :

VERMONT.

From Brownington Centre, by Brownington, to Barton Landing.

The amendment was agreed to.

The next amendment was, under the head of "Virginia," after line 800, to insert :

From Buckingham Court-House to Hardwicksville.

The amendment was agreed to.

The next amendment was, under the head of "West Virginia," after line 806, to insert :

From Gladeville to Halleck.

From Blaine to Clinton Furnace.

From New Salem to Yeater's Mills.

From Braxton Court-House to Middleport.

From Perkin's Mill to Webster Court-House.

From Flatwoods, Braxton County, via Dr. B. H. Adkisson's store, Williams's Mill, Green Hill, and Little Wild Cat, Lewis County, and James Bennett's, to Rock Cave, in Upshur County.

From Kincheloa, Harrison County, to Cold Water, Doddridge County.

The amendment was agreed to.

The next amendment was, under the head of "Wisconsin," to strike out lines 819 and 820, as follows :

From Nielsville, via Day, Shortville, and Nevins, to Popple.

The amendment was agreed to.

The next amendment was, after line 827, under "Wisconsin," to insert :

From Black Creek, via Cicero, Frazer, Angelica, and Plier, to Pulcifer.

From Grantsburgh to Wood River.

From Balsam Lake to Bunyan.

From Sioux Creek to Shetek.

From Loehiel to Tonnar.

From Cadott to Swansby.

From Flambeau to Emet.

From Eau Claire to Badger Mills.

From Rib Falls to Peniatowski.

From Wausau to Kelly.

From Naugart to Hamburg.

From Mannville to McMillan.

From Edson to High Banks.

From Grand Marsh to New Chester.

From Alban to Boyington.

From Colby to Green Grove.

From Merrill to Donovan.

From Antigo to Morley.

From Antigo, via Melnick, to Kempster.

From Norwood to Phlox.

From Bonduel to Tracy.

From Angelica to Flier.

From Flintville to Saint Nathan's.

From Stiles to Morgan.

From Stiles to Kelley Brook.

From Frydenland to Sand Lake.

From Florence to Crystal Falls.

The amendment was agreed to.

The next amendment was, in line 856, after the word "Wyoming," to strike out "Territory."

The amendment was agreed to.

The next amendment was, under the head of "Wyoming," after line 859, to insert :

From Powder River to Frewen's Ranch.

From Elk Mountain to Bushe's Ranch.

From Cooper Lake to Bushe's Ranch.

From Fort Laramie to Central Springs.

The amendment was agreed to.

The next amendment was, in line 864, after the word "Washington," to strike out "Territory."

The amendment was agreed to.

The next amendment was, after line 868, to strike out the following :

MAINE.

From Arnold to South Etna.

NEW HAMPSHIRE.

From Milan to Errol.

VERMONT.

From Brownington Centre, by Brownington, to Barton Landing.

MASSACHUSETTS.

From Littleton to Littleton Common.

RHODE ISLAND.

From Liberty to Slocumville.

CONNECTICUT.

From Ivoryton to Centre Brook.

From Silver Mine to Norwalk.

PENNSYLVANIA.

From Wharton, via Hull, to Cherry Mills.

From Merwin to Markle.

COLORADO.

From Villa Grove to Oriental.

From Teller to Michigan.

NEW MEXICO.

From Vermejo to Elkins.

From Socorra to Magdalena.

ARIZONA.

From Fort Apache to Show Low.

From Greaterville to Crittenden.

IDAHO.

From Salmon City to Leesburgh.

NEVADA.

From Lida to Montezuma.

CALIFORNIA.

From Upper Lake to Gravelly Valley.

From Princeton to Norman.

From Anaheim to Westminster.

MISSOURI.

From Williamsburgh to Calwood.

ARKANSAS.

From Watalula Springs to Ozark.

FLORIDA.

From Aeron to Altoona.

From Tampa to Palmetto.

From Welaka to Crescent City.

ALABAMA.

From Coltonville to Honey.

From Dowdy to Herndon.

From Gadsden to Masingale.

From Gainestown to Choctaw Bluff.

From Mobile to Spring Hill.

From Somerville to Bluff City.

From Southern to Bean Rock.

MISSISSIPPI.

From Green Hill to Campbellsville.

From Johnsonville to Penwood.

ILLINOIS.

From Belle Prairie to Wayne City.

From Fountain Green to Weakley's Store.

From Broadlands to Homer.

From Osage to Elkville.

From Exeter to Neelyville.

From Hecker to Red Bud.

From Jewett to Wheeler.

From Woodworth to Milford.

IOWA.

From Alpha (N. O.) to Waucoma.
From Meloy to Delphos.
From Parma to Big Grove.
From Felix to Milo.
From Farley to Cascade.
From Muchachinock to Given.
From Princeton to Cordova.
From What Cheer to Delta.

SOUTH CAROLINA.

From Nichols, South Carolina, to Little Rock, South Carolina, via Gaddy's Mills.
From Bennettsville, South Carolina, to Laurenburgh, North Carolina, via John G. Fletcher's store.
From Laurel Hill, North Carolina, to Bennettsville, South Carolina, via John G. Fletcher's store.
From Laurenburgh, North Carolina, to Red Bluff, South Carolina.
From Mullen's Depot, South Carolina, to Alfordville, North Carolina.
From Chesterfield Court-House, South Carolina, via Sugar Loaf, James W. Ousley, and John G. Johnson, to Hartsville, South Carolina.
From Rome, South Carolina, to Choppee, South Carolina.
From Irvington, Chesterfield County, South Carolina, to Hornsborough, South Carolina.
From Mayesville, South Carolina, to Kingstree, South Carolina.

The amendment was agreed to.

Mr. FERRY. On page 15, after line 351, under the head of "Louisiana," I move to insert:

From Plaquemine to Soulouque.
From Raphael to Soulouque.
From Raphael to Plaquemine.

The amendment was agreed to.

Mr. FERRY. That completes the amendments of the committee. The striking out of a large part of the bill is simply the result of transpositions.

Mr. BROWN. On page 6, line 132, I find:

From Corcoran's Station to Allen's Cross-Roads.

It should be "from Cochran's Station," instead of "Corcoran's."

The PRESIDING OFFICER. That correction will be made.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed the bill (S. No. 1211) making an appropriation for continuing the improvements of Galveston Harbor, State of Texas.

The message also announced that the House had passed a bill (H. R. No. 4679) to authorize the Secretary of the Treasury to furnish impressions of the cards of invitation to the Garfield memorial service, in which it requested the concurrence of the Senate.

The message also announced that the House had concurred in some and non-concurred in other amendments of the Senate to the bill (H. R. No. 4221) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1882, and for other purposes.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 25th instant, approved and signed the following acts and joint resolution:

An act (S. No. 937) to enable the Postmaster-General to delegate authority to sign warrants;

An act (S. No. 977) making an appropriation for the base and pedestal of a monument to the late Rear-Admiral Samuel Francis Du Pont, United States Navy; and

A joint resolution (S. R. No. 41) authorizing the Secretary of War to use rations for the relief of destitute persons in the districts overflowed by the Mississippi River.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I submit herewith, for the consideration of Congress, a letter from the Secretary of the Interior, inclosing a petition of Mr. P. W. Norris, for compensation for services rendered and expenses incurred by him as superintendent of the Yellowstone National Park from the 18th of April, 1877, to the 1st of July, 1878.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 28, 1882.

He also laid before the Senate the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of the Navy, with a copy of a letter from the superintendent of the United States Naval Observatory, accompanied by a draft of a bill, with estimates for an observation of the transit of Venus, on the 6th of December, 1882.

The matter is commended to the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 28, 1882.

He also laid before the Senate the following message from the

President of the United States; which was referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate of the United States:

I transmit herewith a communication of the Secretary of the Interior of the 23d instant, with accompanying papers, furnished in obedience to a resolution of the Senate of the 30th ultimo, calling for certain information in relation to the Malheur Indian reservation in the State of Oregon.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 28, 1882.

He also laid before the Senate the following message from the President of the United States; which was referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior, inclosing a memorial and papers from the Seneca Nation of New York Indians, embodying resolution and remonstrance against the passage of Senate bill No. 19 to provide for allotment of lands in severalty to Indians upon various reservations, &c., together with report thereon of the Commissioner of Indian Affairs, recommending an amendment to the seventh section thereof, excluding the lands of said Indians.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, February 28, 1882.

URGENT DEFICIENCY BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives upon the amendments of the Senate to the bill (H. R. No. 4221) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1882, and for other purposes.

On motion of Mr. ALLISON, it was

Resolved, That the Senate insist upon its amendments disagreed to by the House of Representatives, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

The PRESIDENT *pro tempore* appointed Mr. ALLISON, Mr. PLUMB, and Mr. BECK as the conferees on the part of the Senate.

CHINESE IMMIGRATION.

The PRESIDING OFFICER, (Mr. GARLAND in the chair.) The unfinished business will now be considered.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. No. 71) to enforce treaty stipulations relating to Chinese. Mr. GROVER. I should like to offer an amendment which I propose to submit to the bill.

The PRESIDING OFFICER. The amendment will be received and read for information.

The ACTING SECRETARY. It is proposed at the end of the bill to add:

The words "Chinese laborers" wherever used in this act shall be construed to mean both skilled and unskilled laborers and Chinese employed in mining.

The PRESIDING OFFICER. This amendment will lie on the table until that portion of the bill is reached. The Committee on Foreign Relations report an amendment to strike out all after the enacting clause and insert a substitute. The Secretary will proceed to read the matter proposed to be inserted by the committee.

The Acting Secretary read the proposed substitute, as follows:

Whereas in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore,

Be it enacted, &c., That from and after the expiration of sixty days next after the passage of this act, and until the expiration of twenty years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby, suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come after the expiration of said sixty days, to remain within the United States.

SEC. 2. That any master of any vessel of whatever nationality, who shall on such vessel bring within the jurisdiction of the United States any Chinese laborer from any foreign port or place, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of \$500 for each and every such Chinese laborer so brought, and may be also imprisoned for a term not exceeding one year.

SEC. 3. That the two foregoing sections shall not apply to Chinese laborers who were in the United States on the 17th day of November, 1880, or who shall have come into the same before the expiration of sixty days next after the passage of this act, and who shall produce to such master before going on board such vessel, and shall produce to the collector of the port in the United States at which such vessel shall arrive, the evidence hereinafter in this act required of his being one of the laborers within this section mentioned; nor shall the two foregoing sections apply to the case of any master whose vessel, being bound to a port not within the United States, shall come within the jurisdiction of the United States by reason of being in distress or in stress of weather.

SEC. 4. That in order to the faithful execution of articles one and two of the treaty between the United States and the Empire of China, ratified July 19, 1881, in case any Chinese residing in the United States on the 17th day of November, 1880, or who shall have come into the same before the expiration of sixty days next after the passage of this act, shall depart therefrom, they shall, before such departure, cause themselves to be duly registered at a custom-house in the United States, and produce to the collector of the district at which they shall seek to re-enter the United States the certificate of such registration and the consular certificate in this act provided for.

SEC. 5. That in order to the faithful execution of articles 1 and 2 of the treaty before in this act mentioned, every Chinese of any class or occupation whatever who may be entitled by said treaty and this act to come within the United States, except such as resided in the United States on the 17th day of November, 1880, or who shall have come within the United States within sixty days next after the passage of this act, shall obtain the permission of the Chinese Government in each case, to be evidenced by a passport issued by said government, which passport shall be in the English language or accompanied by a translation into English, showing such permission, with the name of the permitted person in his proper signature, and which passport shall state the name, title, or official rank, if any, the age, height, and all physical peculiarities, former and present occupation or

profession, and place of residence in China of the person to whom the passport is issued, and that such person is entitled by the treaty in this act mentioned to come within the United States. This passport and the identity of the person named in it shall, before such person goes on board any vessel to proceed to the United States, be vided by the indorsement of the diplomatic representative of the United States in the Empire of China, or of the consular representative of the United States at the port or place from which the person named in the passport is about to depart. Such passport shall be *prima facie* evidence of the facts set forth therein, and shall be produced to the collector of customs of the port in the district in the United States at which the person named therein shall arrive, and afterward produced to the proper authorities of the United States whenever lawfully demanded.

SEC. 6. That the Secretary of the Treasury shall forthwith cause to be prepared and kept at the custom-houses of the United States proper books, in such form as he shall prescribe, for the registration of Chinese who shall be entitled under the provisions of this act to the privilege of entering and residing in the United States. Entry shall be made in such books of the name of every such Chinese, and his proper signature, his place of birth, (giving town or district,) date of birth, last place of residence before coming to the United States, place of residence in the United States, if any, names and residences of his parents, if any, date and place of arrival in the United States, employment or business, height, and physical marks or peculiarities by which he may be identified. Every applicant for registration shall make oath to the facts stated in his registry, which oath shall be recorded in the book of registry. Collectors of customs and their deputies shall have power to administer and certify to all oaths under this act.

SEC. 7. That it shall be the duty of the collector of customs to issue to every Chinese entitled to registry, and registered by him, at the time of registration, a certificate, in such form as the Secretary of the Treasury may prescribe, setting forth all the facts contained in such registration, and the date of identification prescribed in section 6 of this act, which certificate shall be signed by the collector of customs of the district, or his deputy, and attested by his seal of office, dated the day of its issue, and upon which shall be written the proper signature of the person registered. A minute of the issuance of such certificate and date of issue shall be made in the book of registry on the margin of the registration. The certificate so issued to a Chinese shall be *prima facie* evidence of the facts therein stated.

SEC. 8. That any person who shall knowingly make a false statement under oath in the registration of any Chinese under the provisions of this act shall be deemed guilty of perjury; and any person who shall register at more than one custom-house in the United States, or procure more than one certificate of registration, or alter or substitute any name for the name written in such certificate, or forge any such certificate, or utter any forged or fraudulent certificate, or falsely personate any person named in any such certificate, shall be deemed guilty of a misdemeanor; and upon conviction of any offense mentioned in this section the guilty person shall be fined in a sum not exceeding \$1,000, and imprisoned in a penitentiary for a term not more than five years.

SEC. 9. That the master of any vessel arriving in the United States from any foreign place shall, at the same time he delivers a manifest of the cargo, and if there be no cargo, then at the time of making a report of the entry of the vessel pursuant to law, in addition to the other matter required to be reported, and before landing, or permitting to land, any Chinese passengers, deliver and report to the collector of customs of the district in which such vessel shall have arrived a separate list of all Chinese passengers taken on board his vessel at any foreign port or place, and all such passengers on board the vessel at that time. Such list shall show the names of such passengers, (and if accredited officers of the Chinese Government traveling on the business of that government, with a note of such fact,) and the names and other particulars, as shown by the respective passports and certificates, as the case may be, of other Chinese passengers; and such list shall be sworn to by the master in the manner required by law in relation to the manifest of the cargo. Any refusal or neglect of the master to comply with the provisions of this section shall incur the same penalties and forfeiture as are provided for a refusal or neglect to report and deliver a manifest of the cargo.

SEC. 10. That before any Chinese passengers are landed from any such vessel, the collector, or his deputy, shall proceed to examine such passengers, comparing the passports and certificates, as the case may be, with the list and with the passengers, and no passenger shall be allowed to land in the United States from such vessel in violation of law.

SEC. 11. That every vessel whose master shall knowingly violate any of the provisions of this act shall be deemed forfeited to the United States, and shall be liable to seizure and condemnation in any district of the United States into which such vessel may enter or in which she may be found.

SEC. 12. That if any consular officer, on examination of the claims and identity of any Chinese proposing to depart to the United States, shall be satisfied that such person seeks so to do in violation of this act, he shall refuse to certify to the right of such person to so depart; and every collector of customs shall refuse to allow any Chinese to enter the United States if he shall discover that such entry is unlawful under this act.

SEC. 13. That any person who shall knowingly bring into, or cause to be brought into, or shall aid or abet the bringing or coming into the United States by land, or who shall land or aid or abet the landing in the United States from any vessel of any Chinese not authorized by law to enter the United States, shall be deemed guilty of a misdemeanor, and shall, for each person so brought or aided to come into the United States, or so landed, be fined in the sum of \$100, and imprisoned for a term not exceeding one year.

SEC. 14. That no Chinese shall be permitted to enter the United States by land without producing to the proper officer of customs the certificate herein required of Chinese seeking to land from a vessel; and any Chinese who shall knowingly come into the United States contrary to the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$100, or by imprisonment not exceeding one year, or both said punishments, in the discretion of the court; and any Chinese unlawfully entering within the United States, or who shall have unlawfully entered the United States in any way, either by land or by water, shall be removed therefrom by the collector of customs of any collection district in which such Chinese may be found, at the cost of the United States, under such regulations as the Secretary of the Treasury may prescribe.

SEC. 15. That this act shall not apply to diplomatic and other officers of the Chinese Government traveling upon the business of that government, whose credentials in the usual form shall be taken as equivalent to the passport in this act mentioned and shall exempt them and their body and household servants from the provisions of this act as to other Chinese.

Mr. FARLEY. My colleague [Mr. MILLER, of California] will address the Senate on the bill to-day, but I desire to offer an amendment at this time that it may be printed and lie on the table until such time as the Senate may act upon it. I ask to have it read.

The PRESIDING OFFICER. The amendment will be read for information.

The ACTING SECRETARY. It is proposed to add as an additional section:

SECTION —. That hereafter no State court, or court of the United States, shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed.

The PRESIDING OFFICER. The amendment will lie on the table and be printed.

Mr. MILLER, of California. Mr. President, the amendment in the nature of a substitute proposed by the Committee on Foreign Relations has been read for information, and as the bill now stands, with this amendment, it is as reported by the full Committee on Foreign Relations, a unanimous report. The changes made by the amendment have been thought necessary by the committee in order to make the bill conform more strictly to the treaty commonly known as the immigration treaty, which was ratified by the Senate at its special session during the last spring. Many of the changes made by the amendment are of phraseology merely. I believe that the bill as reported does conform in every particular to, and does not contravene in any way, the treaty referred to. I shall now, by the courtesy of the Senate, proceed to submit some remarks upon the bill as reported by the committee.

This measure is not a surprise to the Senate, nor a new revelation to the country. It has been before Congress more than once, if not in the precise form in which it is now presented, in substance the same; and it has passed the ordeal of analytical debate and received the affirmative vote of both Houses. Except for the Executive veto it would have been long ago the law of the land. It is again presented, not only under circumstances as imperative in their demands for its enactment, but with every objection of the veto removed and every argument made against its approval swept away. It is an interesting fact in the history of this measure, that the action which has cleared its way of the impediments which were made the reasons for the veto, was inaugurated and consummated with splendid persistence and energy by the same administration whose Executive interposed the veto against it. Without stopping to inquire into the motive of the Hayes administration in this proceeding, whether its action was in obedience to a conviction that the measure was in itself right and expedient, or to a public sentiment, so strong and universal as to demand the utmost vigor in the diplomacy necessary for the removal of all impediments to its progress, it must be apparent that the result of this diplomatic action has been to add a new phase to the question in respect of the adoption of the measure itself.

In order to fully appreciate this fact it may be proper to indulge in historical reminiscence for a moment. For many years complaints had been made against the introduction into the United States of the peculiar people who come from China, and the Congress, after careful consideration of the subject, so far appreciated the evil complained of as to pass a bill to interdict it.

The executive department had, prior to that action, with diplomatic finesse, approached the imperial throne of China with intent, as was said, to ascertain whether such an interdiction of coolie importation, or immigration so called, into the United States would be regarded as a breach of friendly relations with China, and had been informed by the diplomate to whom the delicate task had been committed that such interdiction would not be favorably regarded by the Chinese Government. Hence, when Congress, with surprising audacity, passed the bill of interdiction the Executive, believing in the truth of the information given him, thought it prudent and expedient to veto the bill, but immediately, in pursuance of authority granted by Congress, he appointed three commissioners to negotiate a treaty by which the consent of China should be given to the interdiction proposed by Congress. These commissioners appeared before the Government of China upon this special mission, and presented the request of the Government of the United States affirmatively, positively, and authoritatively made, and after the usual diplomatic ceremonies, representations, misrepresentations, avowals, and concealments, the treaty was made, the concession granted, and the interdiction agreed upon. This treaty was presented here and ratified by the Senate, with what unanimity Senators know, and which the rules of the Senate forbid me to describe.

The new phase of this question, which we may as well consider in the outset, suggests the spectacle which this nation should present if Congress were to vote this or a similar measure down. A great nation cannot afford inconsistency in action, nor betray a vacillating, staggering, inconstant policy in its intercourse with other nations. No really great people will present themselves before the world through their government as a nation irresolute, fickle, feeble, or petulant; one day eagerly demanding of its neighbor an agreement or concession, which on the next it nervously repudiates or casts aside. Can we make a solemn request of China, through the pomp of an extraordinary embassy and the ceremonial of diplomatic negotiation, and with prudent dispatch exchange ratifications of the treaty granting our request, and within less than half a year after such exchange is made cast aside the concession and, with childish irresolution, ignore the whole proceeding? Can we afford to make such a confession of American imbecility to any oriental power? The adoption of this or some such measure becomes necessary, it seems to me, to the intelligent and consistent execution of a policy adopted by this Government under the sanction of a treaty with another great nation.

If the executive department, the Senate, and the House of Representatives have all understood and appreciated their own action in respect of this measure; if in the negotiation and ratification of the new treaty with China the Executive and the Senate did not act without thought, in blind, inconsiderate recklessness—and we know

they did not; if the Congress of the United States in the passage of the fifteen-passenger bill had the faintest conception of what it was doing—and we know it had—then the policy of this Government in respect of so-called Chinese immigration has been authoritatively settled.

This proposition is submitted with the greater confidence because the action I have described was in obedience to and in harmony with a public sentiment which seems to have permeated the whole country. For the evidence of the existence of such a sentiment, it is only necessary to produce the declarations upon this subject of the two great historical parties of the country, deliberately made by their national conventions of 1880. One of these (the Democratic convention) declared that there shall be—

No more Chinese immigration except for travel, education, and foreign commerce, and therein carefully guarded.

The other (the Republican) convention declared that—

Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with Congress, or with the United States and its treaty-making power, the Republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invokes the exercise of the powers to restrain and limit the immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.

These are the declarations of the two great political parties, in whose ranks are enrolled nearly all the voters of the United States; and whoever voted at the last Presidential election voted for the adoption of the principles and policy expressed by those declarations, whether he voted with the one or the other of the two great parties. Both candidates for the Presidency were pledged to the adoption and execution of the policy of restriction thus declared by their respective parties, and the candidate who was successful at the polls, in his letter of acceptance, not only gave expression to the sentiment of his party and the country, but, with a clearness and conciseness which distinguished all his utterances upon great public questions, gave the reasons for that public sentiment. He said:

The recent movement of the Chinese to our Pacific coast partakes but little of the qualities of an immigration, either in its purposes or results. It is too much like an importation to be welcomed without restriction; too much like an invasion to be looked upon without solicitude. We cannot consent to allow any form of servile labor to be introduced among us under the guise of immigration.

Further on, in speaking of the probable results of the labors of the commission then in China, he said:

Should these efforts fail it will be the duty of Congress to mitigate the evils already felt, and prevent their increase by such restrictions as, without violence or injustice, will place on a sure foundation the peace of our communities and the freedom and dignity of labor.

With these words James A. Garfield—now of blessed memory—submitted his name for the suffrages of his countrymen; and when we remember the fact that by the publication of a clever forgery, which was intended to create a suspicion as to the sincerity of his expressions just quoted, he came near a defeat for the high office of President, the strength and universality of the public opinion he so forcibly expressed becomes all the more manifest.

The political history of this country may be searched in vain for an example of such perfect unanimity of expression by the parties at any time contending for political power upon a question of governmental policy. It would seem that the question of Chinese restriction has passed the stage of argument. To such a policy both political parties are equally pledged, bound, and committed by the most solemn and deliberate acts and declarations, and if these declarations were made in earnest, this or a like measure will pass both Houses nearly unanimously. The vote upon this bill will determine, I think, whether the leaders of the two great political parties of this country were in earnest in making these declarations, or whether they were made merely to deceive the people and to catch votes.

In this connection it is proper also to consider the probable effect of a failure or refusal of Congress to pass this bill upon the introduction of Chinese coolies into the United States in the future. An adverse vote upon such a measure is an invitation to the Chinese to come. It would be interpreted to mean that the Government of the United States had reversed its policy, and is now in favor of the unrestricted importation of Chinese; that it looks with favor upon the Chinese invasion now in progress. It is a fact well known that the hostility to the influx of Chinese upon the Pacific coast displayed by the people of California has operated as a restriction, and has discouraged the importation of Chinese to such a degree that it is probable that there are not a tenth part the number of Chinese in the country there would have been had this determined hostility never been shown. Despite the inhospitality, not to say resistance, of the California people to the Chinese, sometimes while waiting for the action of the General Government difficult to restrain within the bounds of peaceable assertion, they have poured through the Golden Gate in constantly increased numbers during the past year, the total number of arrivals at San Francisco alone during 1881 being 18,561. Nearly two months have elapsed since the 1st of January, and there have arrived, as the newspapers show, about four thousand more.

The defeat of this measure now is a shout of welcome across the Pacific Ocean to a myriad host of these strange people to come and occupy the land, and it is a rebuke to the American citizens, who have so long stood guard upon the western shore of this continent, and who, seeing the danger, have with a fortitude and forbearance most admirable, raised and maintained the only barrier against a

stealthily, strategic, but peaceful invasion as destructive in its results and more potent for evil than an invasion by an army with banners. An adverse vote now is to commission under the broad seal of the United States, all the speculators in human labor, all the importers of human muscle, all the traffickers in human flesh, to ply their infamous trade without impediment under the protection of the American flag, and empty the teeming, seething slave pens of China upon the soil of California! I forbear further speculation upon the results likely to flow from such a vote, for it presents pictures to the mind which one would not willingly contemplate.

These considerations which I have presented ought to be, it seems to me, decisive of the action of the Senate upon this measure; and I should regard the argument as closed did I not know that there still remain those who do not consider the question as settled, and who insist upon further inquiry into the reasons for a policy of restriction, as applied to the Chinese. I am not one of those who would place the consideration of consistency or mere appearances above considerations of right or justice; but since no change has taken place in our relations with China, nor in our domestic concerns, which renders a reversal of the action of the Government proper or necessary, I insist that if the measure of restriction was right and good policy when Congress passed the fifteen-passenger bill, and when the late treaty with China was negotiated and ratified, it is right and expedient now.

This measure had its origin in California. It has been pressed with great vigor by the representatives of the Pacific coast in Congress for many years. It has not been urged with wild, vehement declamation by thoughtless men, at the behest of an ignorant, unthinking, prejudiced constituency. It has been supported by incontrovertible fact and passionless reasoning, and enforced by the logic of events. Behind these representatives was an intelligent, conscientious public sentiment—universal in a constituency as honest, generous, intelligent, courageous, and humane as any in the Republic.

It had been said that the advocates of Chinese restriction were to be found only among the vicious, unlettered, foreign element of California society. To show the fact in respect of this contention, the Legislature of California in 1878 provided for a vote of the people upon the question of Chinese immigration (so called) to be had at the general election of 1879. The vote was legally taken, without excitement, and the response was general. When the ballots were counted, there were found to be 883 votes for Chinese immigration and 154,638 against it. A similar vote was taken in Nevada and resulted as follows: 183 votes for Chinese immigration and 17,259 votes against it. It has been said that a count of noses is an ineffectual and illusory method of settling great questions, but this vote of these two States settled the contention intended to be settled; and demonstrated that the people of all others in the United States who know most of the Chinese evil, and who are most competent to judge of the necessity for restriction, are practically unanimous in the support of this measure.

Is it to be supposed that this vote of California was the effect of an hysterical spasm, which had suddenly seized the minds of 154,000 voters, representing the sentiment of 800,000 people? For nearly thirty years this people had witnessed the effects of coolie importation. For more than a quarter of a century these voters had met face to face, considered, weighed, and discussed the great question upon which they were at last called upon, in the most solemn and deliberate manner, to express an opinion. I do not cite this extraordinary vote as a conclusive argument in favor of Chinese restriction; but I present it as an important fact suggestive of argument. It may be that the people who have been brought face to face with the Chinese invasion are all wrong, and that those who have seen nothing of it, who have but heard something of it, are more competent (being disinterested) to judge of its possible, probable, and actual effects, than those who have had twenty or thirty years of actual continuous experience and contact with the Chinese colony in America; and it may be that the Chinese question is to be settled upon considerations other than those practical common sense reasons and principles which form the basis of political science.

It has sometimes happened in dealing with great questions of governmental policy that sentiment, or a sort of emotional inspiration, has seized the minds of those engaged in the solution of great problems, by which they have been lifted up into the ethereal heights or moral abstraction. I trust that while we attempt the path of inquiry in this instance we shall keep our feet firmly upon the earth. This question relates to this planet and the temporal government of some of its inhabitants; it is of the earth earthy; it involves principles of economic, social, and political science, rather than a question of morals; it is a question of national policy, and should be subjected to philosophical analysis. Moreover the question is of to-day. The conditions of the world of mankind at the present moment are those with which we have to deal. If mankind existed now in one grand co-operative society, in one universal union, under one system of laws, in a vast homogeneous brotherhood, serenely beatified, innocent of all selfish aims and unholy desires, with one visible temporal ruler, whose judgments should be justice and whose sway should be eternal, then there would be no propriety in this measure.

But the millennium has not yet begun, and man exists now, as he has existed always—in the economy of Providence—in societies called nations, separated by the peculiarities if not the antipathies of race.

In truth, the history of mankind is for the most part descriptive of racial conflicts and the struggles between nations for existence. By a perfectly natural process these nations have evolved distinct civilizations, as diverse in their characteristics as the races of men from which they have sprung. These may be properly grouped into two grand divisions, the civilization of the East and the civilization of the West. These two great and diverse civilizations have finally met on the American shore of the Pacific Ocean. The history of the human race describes a westward march from the plains of Asia, where man began his career many centuries ago, as steady and persistent as the stars in their courses. Nations have been planted on new soil and afterward supplanted, and the grand progressive movement has been westward, passing every barrier, overcoming every obstacle, until on the Californian shore of the Pacific the man of the West has met the man of the Orient. Mankind has made the circuit of the globe. The great consummation has been reached, the earth has been girdled, the grand march is ended. It is the achievement of all the ages, and its fulfillment marks the most important epoch in the history of man.

Mr. Seward, in speaking of this event, here in the Senate once said: Certainly no mere human event of equal dignity and importance has ever occurred on the earth.

The two civilizations which have here met are of diverse elements and character, both the result of evolution under different conditions, radically antagonistic, and as impossible of amalgamation as are the two great races who have produced them. The attempt to merge them must result, as both reason and experience teaches, in the displacement of one or the other. Like the mixing of oil and water, neither will absorb the other. The Chinese have been established on the Pacific coast for more than a quarter of a century, and have displayed every phase and characteristic of their ancient civilization, all this time under the pressure of American laws and the example of American methods, brought into direct contact with western civilization and subjected to the powerful influence of modern thought and Christian teaching; and they have remained as fixed in their habits, methods, and modes of life as if they had all this time lived in the Mountains of the Moon. Not the slightest impression has been made upon them or the peculiar civilization which they brought with them. Their modes of life remain the same, which they and their ancestors have pursued for fifty centuries in their fierce struggle for existence. They have been unable or unwilling to change the habits and character which have been forced upon them and ground into them by necessity and a heredity as old as the records of man. Nor does our experience with the Chinese differ in this respect from that of other nations who have admitted them.

It is a fact of history that wherever the Chinese have gone they have always taken their habits, methods, and civilization with them; and history fails to record a single example in which they have ever lost them. They remain Chinese always and everywhere; changeless, fixed, and unalterable. In this respect they differ from all other peoples who have come to our shores. The men of every other race or nation who go abroad, sooner or later, adopt the civilization of the people by whom they are surrounded, and assimilate with or are absorbed in the mass of humanity with which they come in constant contact. The Chinese are alone perfectly unimpressible, and even their offspring born on American soil and who have grown up surrounded by American influences are Chinese in every characteristic of mind, feature, form, habit, and method, precisely the same as their fathers and their ancestors in China. We have found that no impression has been or can be made upon the civilization which confronts ours on the Pacific coast. An "irrepressible conflict" is now upon us in full force, and those who do not see it in progress are not so wise as the men who saw the approach of that other "irrepressible conflict" which shook the very foundations of American empire upon this continent.

If we continue to permit the introduction of this strange people, with their peculiar civilization, until they form a considerable part of our population, what is to be the effect upon the American people and Anglo-Saxon civilization? Can these two civilizations endure side by side as two distinct and hostile forces? Can these two forces abide in such close relation without conflict? Is American civilization as unimpressible as Chinese civilization? When the end comes for one or the other, which will be found to have survived? Can they meet half way, and so merge in a mongrel race, half Chinese and half Caucasian, as to produce a civilization half pagan, half Christian, semi-oriental, altogether mixed and very bad?

I insist that these questions are practical, and must have answers. We have already seen in California that the American people are far more impressible than the stoical Chinese, and the influence of Chinese methods and practices upon the social economy and moral condition of our people is plainly visible. The presence of the Chinese has produced a labor system which is unique; at least different from that of any other part of the United States. This is seen in the wandering, unsettled habits of white farm laborers, who, forced into competition with the Chinese, have been compelled to adopt their nomadic habit. So that the white farm laborer in California has no home in the family he serves, as in these Eastern States, but he is a "blanket man," who works in the fields only during the planting and harvest seasons, roaming the remainder of the year in search of other employment, his shelter the straw stack, and his food anything he can get. Under this system the great wheat growers

carry on immense operations without the necessity of employing continuous labor, and the result is, large farming, to the exclusion of small American homes.

The new element in American society called the "hoodlum" is the result of Chinese competition in the manufacturing districts in California, by which young people of both sexes are driven to idleness in the streets. Strange and incurable maladies, loathsome and infectious diseases have been introduced which no medical skill can circumscribe or extirpate, and the stupefying, destructive opium habit is steadily increasing among our people. These and many other evidences of the demoralizing influence of Chinese civilization are open to the dullest observation. It is said, however, that the Chinese do not come in sufficient numbers nor remain long enough in the country to disturb the equilibrium of American society, or threaten a change in American institutions or the adulteration of our civilization. Individual Chinese come and go. As a people they remain. The number of Chinese in the United States is increasing constantly from year to year, as steadily as the steamships come and go.

It is a fact of history that the Chinese have never abandoned any region wherein they have ever established themselves as they have on the Pacific coast. They have never more than temporarily quitted any soil upon which they have ever been planted. Regarded by superficial observers as the most inert and pusillanimous of all peoples, they are on the contrary the most successful conquerors the world has ever known, because they have held all they have ever conquered, and conquered every territory they have ever invaded. And not only so; whenever China has been invaded, the invaders have been absorbed and finally conquered. To the central kingdom China has added one by one, by her peculiar methods of conquest, and still holds, the vast countries of Mongolia, Manchuria, Thibet, and Eastern Turkistan, and now by a peaceful invasion she threatens to entirely overwhelm Siam and Formosa. The complete conquest of the Hawaiian Islands by the same insidious method is assured within ten years, unless vigorous measures are applied to prevent it.

As invaders the Chinese are the most persistent, subtle, and successful. They overran the Philippine Islands three centuries ago, and despite adverse laws, indignities, cruelties, and horrible massacres, these stubborn invaders have never been more than temporarily checked. The first resistance to the Chinese on those islands culminated in the slaughter of twenty thousand of them, nearly the whole Chinese population, but within thirty years they again numbered over thirty thousand. Another slaughter then ensued in which twenty-two thousand Chinese were killed, but the undaunted survivors remained and were joined by thousands of their countrymen until 1710, when all were expelled and commerce between the islands and China was prohibited. All this has not availed against Chinese persistence; there are ninety thousand Chinese now in Manila alone.

Confronted, as we are on the Pacific, with our hundred and fifty millions of people, who have furnished such an historical example as this, the ocean barrier almost overcome by modern science in ship building; the invasion already in progress; forcible resistance upon sea or land forbidden to us; the remedy of State legislation denied to us; the invaders aided by the enterprise and cupidity of speculators in cheap labor, has not the time for the action of the General Government come? That an exodus from the province of Kwang Lung to the United States has not only begun, but has been in steady progress for many years, cannot be denied. Had this hegira been general in all the provinces of China in the same ratio as to population, and the admission of the invaders as untrammelled as it has been in respect of those who have come, and the transit as easy, there would have been already in the United States more than thirteen millions of Chinese, all able-bodied men. These, with families, would represent a population of over sixty millions.

This would have long ago degraded the Pacific States and Territories to the condition of a Chinese province, and made them a howling wilderness of Chinese. Why have they not come? Because of the cost and inadequacy of transportation, and because of the hostility and vehement opposition of the people of California. It was not for want of disposition to come. Had the labor brokers, the speculators in human muscle, dared to import more than have come there were millions of hungry, half-starved Chinese of the northern provinces eager to come. For those who came, openings were found for their labor by their importers before they left China. No risk was taken.

During the late depression in business affairs, which existed for three or four years in California, while thousands of white men and women were walking the streets, begging and pleading for an opportunity to give their honest labor for any wages, the great steamers made their regular arrivals from China, and discharged at the wharves of San Francisco their accustomed cargoes of Chinese, who were conveyed through the city to the distributing dens of the Six Companies, and within three or four days after arrival every Chinaman was in his place at work, and the white people unemployed still went about the streets. This continued until the white laboring men rose in their desperation and threatened the existence of the Chinese colony, when the influx was temporarily checked; but now, since business has revived and the pressure is removed, the Chinese come in vastly increased numbers, the excess of arrivals over departures averaging about one thousand per month at San Francisco alone. The importers of Chinese find no difficulty in secur-

ing openings for their cargoes now, and when transportation from California to the Eastern States is cheapened, as it soon will be, they will extend their operations into the Middle and Eastern States, unless prevented by law, for wherever there is a white man or woman at work for wages, whether at the shoe bench, in the factory, or on the farm, there is an opening for a Chinaman. No matter how low the wages may be, the Chinaman can afford to work for still lower wages, and if the competition is free, he will take the white man's place.

At this point we are met by the query from a certain class of political economists, "What of it? Suppose the Chinese work for lower wages than white men, is it not advantageous to the country to employ them?" The first answer to such question is, that by this process white men are supplanted by Chinese. It is a substitution of Chinese and their civilization for white men and Anglo-Saxon civilization. This involves considerations higher than mere economic theories. If the Chinese are as desirable as citizens, if they are in all the essential elements of manhood the peers or the superiors of the Caucasian; if they will protect American interests, foster American institutions, and become the patriotic defenders of republican government; if their civilization does not antagonize ours nor contaminate it; if they are free, independent men, fit for liberty and self-government as European immigrants generally are, then we may begin argument upon the question whether it is better or worse, wise or unwise, to permit white men, American citizens, or men of kindred races, to be supplanted and the Chinese to be substituted in their places. Until all this and more can be shown the advocates of Chinese importation or immigration have no base upon which to even begin to build argument.

But in saying this I would not be understood as seeking to avoid the economic question in respect of the relation of cheap labor to the production of national wealth. Far from it. It would be an easy task to show, as I believe, that the prevalence of cheap labor or low wages, instead of being the cause of the wealth or prosperity of a people existing under free government, is the indubitable evidence of national poverty and decay. Cheap labor is not a cause of any public good, but an effect of a vicious economic system. It is necessary to a perception of the truth, in the investigation of such questions, to consider the principles of that higher political economy which not only elucidates the laws which govern the production and distribution of wealth, but subjects the elements and causes of national prosperity or adversity to searching philosophical analysis, and exhibits clearly to view whatever constitutes the real wealth of a nation. Temporarily, and under peculiar conditions, cheap labor might be an advantage, but when we consider our condition and are confronted by the fact that the introduction into our country of an alien race of men who perform the cheap labor operates as a displacement of the natives of the soil, man for man, and substitutes a non-assimilative, heterogeneous people utterly unfit for and incapable of free or self-government, the question assumes proportions which are not to be measured by the application of mere economic theories.

To those who have not studied the history of race conflicts, nor witnessed the social and industrial phenomena now open to view in the Pacific States, it may seem strange and improbable that the apparently insignificant, dwarfed, leathery little man of the Orient should, in the peaceful contest for survival, drive the Anglo-Saxon from the field. This was at first thought impossible in California, and it was not until it became apparent that the Chinese were actually substituting themselves for white men, as the occupants of the Pacific coast, that the fearless, confident, generous Californian believed it possible. How, by what process and method, this can be and has been done, has been illustrated by essayists and publicists, in writings and speeches which would fill many volumes, until there is, perhaps, nothing new to be said upon the subject. I would call attention to the very able pamphlet of Professor Whitney, recently published; to the strong article of Mr. Dee, published in the *North American Review* in 1878; to the report made to the Senate of California in 1877; to the several speeches heretofore made in Congress by the representatives of the Pacific coast, and to the report of the committee of Congress, of which Senator Morton was a member, as some of the more prominent of these essays, writings, and speeches.

In the discussion of this subject numerous facts are invoked, with their complex relations in respect of the political, social, and industrial conditions of the two races here brought in contact. In order to form a true conception of the present capabilities, characteristics, purposes, and tendencies of the Chinese, a careful study of their history is necessary. Nor can any perception of the future relations which those people shall sustain toward our people be formed without a knowledge of the present condition of their race, their civilization, government, and laws. One may well despair of giving this subject the treatment its importance demands, in the time usually allotted to a speech in the Senate; for the history of China is the history of a people who comprise one-third of the human race, and it extends so far into the remote past that the student of its mysteries can in a lifetime do but little more than read the title pages of its ponderous volumes. It is the history of a people whose form of government, institutions, and civilization have endured without change through forty centuries or more, and survived the rise and fall, the death and decay of the mightiest nations and empires ever established on the earth.

Alone in its busy solitude this nation has wrought and struggled, never until lately looking up or out upon the world to note the triumphs or failures of contending nationalities. These are the only people who have been contented to be alone. They have never sought to teach nor desired to be taught. They have enacted their long, doleful drama of life, with its numberless tragedies, upon a stage all their own, and with out an audience. From the days when the far-off mysterious Cathay was the wonder-land of all the world beside down the centuries until now the spirit of seclusion, the habit of isolation, has ruled the Chinese people. Their written language is forty-two hundred years old, but their history, as written upon the physical face of their country, is far older. The deposits within the dikes of the Hoang Ho, if made in about the same ratio as the deposits of the Nile, show that the construction of those dikes was begun more than nine thousand years ago.

For probably one hundred centuries those people have been cultivators of the soil. Their written history discloses no change in their system of cultivation, nor in any of their methods for the production of the means of subsistence. Human labor has never been raised above the standard of mere brute energy in the cultivation of the soil. Men and women perform the work of beasts, because their labor is cheaper than the brute labor. The subsistence of one beast costs in China more than the subsistence of five men, and this shuts out the brute from the domestic economy of the Chinese. Their civilization culminated before western civilization began, and has no element of progress in it. The literature, art, science, or religion of western nations has made no impression upon the Chinese. They have remained the same through all the changes of the world, and they are now a people as different from all other peoples in their characteristics, habits, methods, and physical appearance as if they were the inhabitants of another planet.

The Government of China has always been imperial in form and in practice a corrupt despotism. The gulf which lies between the rulers and the common people is wider and deeper and darker than exists in any other land. The rulers have grown richer and richer, and the people poorer and poorer, until the normal condition of the lower orders is that of the most degrading, pinching poverty; and so has it been for many centuries. To them life is a monotonous agony. Men and women are sold into slavery, and go into a bondage, from which there is no escape except by death, without emotion or regret. So low is the estimate upon human life, and such is the ferocity of Chinese government, that men are beaten to death by the bamboo for trivial offenses.

It is said that in some of the provinces more female infants are exposed or murdered by their parents than are named; and this without danger of punishment. The great question in China for thousands of years has been the question of subsistence. The Chinese are a people who have increased and kept up their numbers constantly to the limit of subsistence without the interposition of any intelligent restraint. Civil wars, famine, pestilence, infanticide, and emigration have from time to time served to relieve the pressure of human life upon the means of subsistence, but as soon as the pressure has been relieved, by these or any other means, the measure of increase has again been filled to the utmost limit, so that China has been an overpopulated country for thousands of years. In this persistent dreary struggle for existence the law of the "survival of the fittest" has had full play, and from the process of induration which has been so long at work a race of men has resulted whose vital organism is adapted to the smallest needs of human life, with a capacity for physical endurance equal to that of the most stalwart races.

During the thousands of years of training which this race of men has undergone, in which they have been accustomed to incessant toil and insufficient food, the individuals who were too weak to endure the strain have fallen out, and none but the "fittest" have survived to become the progenitors of their race. The laborers of China are therefore men, who by long training and a heredity which is stamped upon them and ground into them through centuries of time, have become machine-like in every physical characteristic. They are of obtuse nerve, but little affected by heat or cold, wiry, sinewy, with muscles of iron; they are automatic engines of flesh and blood; they are patient, stolid, unemotional, and persistent, with such a marvelous frame and digestive apparatus that they can dispense with the comforts of shelter and subsist on the refuse of other men, and grow fat on less than half the food necessary to sustain life in the Anglo-Saxon. We have found that these men bring with them these wonderful qualities, and never lose them through all the changes of climate and food which they meet in this country; and they never change or abandon their habits or methods no matter what their surroundings may be. They herd together like beasts in places where white men could not live; they clothe themselves in the cheapest raiment as they have always done in China, and subsist on cheap food imported for their use and the refuse of our markets.

No matter how low the wages of the white man are fixed, the Chinese underbid him. Competition with such a machine by the free white man is impossible. To compete with the Chinese the white man must become such a man as the Chinaman is. He must work as the Chinaman works, subsist on as cheap food, inure himself to the same disgusting and parsimonious diet. He must adopt the packing habit, in which the shelter and space now required for one will be sufficient for ten; the unmarried must not marry, and those who

have wives or children must give up home and resort to the hovel. The school-house door can no longer swing open to admit the American laborer's child, for under this grinding competition every human being out of piling infancy must work for the means of subsistence. To compete with the Chinese, American civilization must change; all the comforts, the pleasing amusements, the sweet pleasures of existence, all that makes life worth living to those who work with their hands, must be surrendered; nothing left but toil—grinding, incessant, wearisome toil; nothing but a career of misery, want, self-denial, ignorance, and dumb slavery is open for the American laborer. To this low level will Chinese competition bring the laboring people of the United States, down to the degradation, the demoralization, the unhappy, miserable condition of the Chinese cooly. If the Chinese could be lifted up to the level of the free American, to the adoption and enjoyment of American civilization, the case would be better; but this cannot be done.

Forty centuries of Chinese life has made the Chinaman what he is. An eternity of years cannot make him such a man as the Anglo-Saxon. It is as impossible to bring the Chinaman up to the American standard as it is cruel and wicked to risk, by any experiment, the degradation of the American laborer to the Chinese standard. The experiment now being tried in California is to subject American free labor to competition with Chinese servile labor, and so far as it has gone, it has put in progress the displacement of American laborers, and the substitution of Chinese for white men. This process will continue if permitted until the white laborer is driven out into other fields, or until those who remain in the contest come down to the Chinese level.

As illustrative of this process, I will submit the following undeniable facts. In San Francisco the Chinese began some fifteen years ago to enter the manufacturing establishments as operatives, then operated entirely by white people. They were dexterous and apt, and the work of displacement of the whites went steadily on. Wages were cut down, and still the Chinese underbid the white man, and in some of the factories the whole number of white employés were supplanted. The more intelligent Chinese, who had learned the art and business in which they had been employed, began a co-operative system of Chinese manufacture, and numerous factories sprung up, carried on wholly by Chinese in competition with their old employers. Chinese proprietors imported laborers from China, who came under contracts for a term of years, as they all come, and worked out their passage money at the wages paid in China, three or four dollars per month. For example, I will cite the manufacture of boots and shoes. The number of boot and shoe factories now in San Francisco is 60. The number carried on by white proprietors is 12. The number carried on by Chinese is 48. The number of slipper factories is 50; all carried on by Chinese. The number of Chinese employed in making boots, shoes, &c., is 5,700. Number of white people so employed, is 1,100.

Mr. HOAR. I wish to ask the Senator if he has one statistical fact, in connection with the very interesting one which he has stated, that the wages of the white persons employed in those factories where they still employ white persons range at a rate higher or lower than the corresponding wages of Chinese in the same employment?

Mr. MILLER, of California. I cannot give the ratio.

Mr. HOAR. Of course I ought not to intrude in the Senator's argument, but the reason of my putting the question was that I have been furnished with some statistics to show that in the occupations where Chinese labor was employed it is still true that the wages of the white employés are much larger than the corresponding wages of the Chinese.

Mr. MILLER, of California. That may be. That would be the case in all branches of labor. You must remember that wages were very much higher. The point is that wages have been constantly going down and are still on the downward grade. Probably they may go down lower. I fancy that the Chinese can come in competition with your laborers of the East and bring wages down to one-quarter what they are in Massachusetts.

The statistics of the manufacture of cigars in San Francisco are still more suggestive. This business was formerly carried on exclusively by white people, many hundreds finding steady and lucrative employment in that trade. I have here the certified statement from the office of the collector of internal revenue at San Francisco, showing the number of white people and Chinese, relatively, employed on the 1st of November last in the manufacture of cigars. The statement is as follows:

Number of white men employed.....	493
Number of white women employed.....	170
Total whites.....	663
Number of Chinese employed.....	5,182

The facts of this statement were carefully ascertained by three deputy collectors. The San Francisco Assembly of Trades certify that there are 8,265 Chinese employed in laundries. It is a well-known fact that white women who formerly did this work have been quite driven out of that employment. The same authority certifies that the number of Chinese now employed in the manufacture of clothing in San Francisco is 7,510, and the number of whites so employed is 1,000. In many industries the Chinese have entirely sup-

planted the white laborers, and thousands of our white people have quit California and sought immunity from this grinding competition in other and better-favored regions.

It is a necessity of the civilization of the white people of the Pacific, as it is here, that labor shall have a reward sufficient for the comfortable maintenance of families, the education of children, the cultivation of refinement in manners and morals, the sustenance of the physical organism by sufficient nutrition, and to enable the laborer to have that degree of leisure necessary for intellectual expansion. The Chinese in California generally have no families to support or educate; their wants are few and the requirements of their civilization demand but a meager outlay. The contest is unequal. It ought not to be permitted to proceed. Under such conditions as exist in California the purchasers of labor, the rich and independent employers, are aggrandized, and the laboring class is impoverished and degraded. The rich grow richer and the poor grow poorer.

If this system is extended into the States of the East, (and there are Chinese in all the States now but two,) the same result will follow, for the Chinese will thrive just as well in the older States as in the new. The margin between the rate of wages to which the Chinese have been accustomed, or upon which they can flourish, and the rates which your laboring people of the Eastern States receive, or must have to live, is wide enough to tempt millions of these orientals into so rich and promising a field. I here invoke the application of the protective principle for the benefit of American labor on the Pacific coast, and for the ultimate benefit of American labor in all the States. You protect American industry here in these States by high tariffs upon the importation of foreign manufactures. This you do to protect the American laborer from competition with what you call the cheap pauper labor of other lands. In California our white laborers are forced into competition with a cheaper labor than the "pauper labor of Europe," and that, too, with the worse than "pauper" laborer himself on the ground. You tax the product of European cheap labor for the protection of the American laborer from low wages. In California the cheapest laborer of all the world is admitted free to compete with our American laborers directly. The Chinese can thrive in America on lower wages than will afford the "pauper" laborers anywhere in Europe a mere frugal subsistence. And in this connection I venture to say, and I hope without offense, that if a speech shall be made in the Senate in opposition to Chinese restriction, I shall not be surprised if it be made by a protectionist. Not perhaps by a protectionist who advocates high tariff primarily for the protection of American laborers from low wages, but for the protection of what he calls "American industry," which is a convenient and comprehensive phrase. It includes and is intended to be descriptive of other interests than those of labor; interests which a certain class of political economists in this country regard as paramount to all others in the adjustment of tariff laws.

The average American manufacturer is interested generally in two things, namely, the highest protective tariff, and the cheapest labor. If he can secure these all else desirable speedily follows. The first he has secured; the second he can readily obtain through unrestricted Chinese immigration, if this measure shall be defeated. It is not difficult to perceive the origin of that political economy which suggests high protective tariffs, and at the same time advocates the admission of servile laborers into the country without limit. It means high prices for the products of manufacture, and low prices for the labor which produces them; the aggrandizement of capital and the debasement of labor; greater wealth for the wealthy and greater poverty for the poor. But it has been said that all the arguments we make against the admission of the Chinese cooly into direct competition with our free American laborer apply with equal force to the immigrants who come from Europe, and that most of the objections we make against the Chinese apply to immigrants from beyond the Atlantic, particularly the Irish. Now, if this were true it would furnish no argument in favor of the introduction of Chinese. It might be an argument against the European immigrants, but it is not true.

European immigrants are men of the like mental and physical characteristics of the American laborer. They are of the same or a kindred race, trained under a like civilization, with similar aspirations, hopes, and tendencies. Their wants and necessities are the same, and they conform their habits, methods, and manners to those of the people by whom they are surrounded. The requirements of their social condition expand with their improving fortunes. They assimilate with American society and become a part of the American people. The competition in the field of labor between such men and the American is a contest between equals. While the European immigrant augments production he becomes a liberal consumer. The Chinaman clothes himself in cheap imported fabrics, and his principal article of food is imported rice. The European immigrants build homes, rear families, and surround themselves with the luxuries and refinements of modern life. The Chinese take shelter in the hovel, or mass themselves in houses like swine in the sty, and send their wages to China. The accumulations of the European immigrants remain in the country and swell the aggregate wealth of the nation. Moreover, they are free, independent men, who control their own labor and their own destiny. They soon become the earnest defenders of free institutions and republican government. They unite their

fortunes with ours, enjoy our prosperity, and brave our disasters. They stand shoulder to shoulder with us in battle for the defense of the Republic and the maintenance of the national honor.

The Chinese come as a servile people and are held while in the country in a bondage of fear by the "Six Companies," by whose will their labor is controlled and directed. The manner of their coming and the character of this bondage is best explained by the correspondence of Mr. Bailey, consul at Hong-Kong, with the State Department, under date of April 25, 1871. He says:

The subject of Chinese emigration from this port to the United States has claimed my careful thought and patient investigation for the last four months, with a view to get at the facts, and to understand it in its surroundings and bearings. The whole subject is an anomaly. Rules that will do elsewhere in the world, when applied in considering questions of immigration, have no application to Chinese immigration to the United States. Immigrants to America from other parts of the world go of their own volition, free and voluntary. Emigration from China to all parts of the world is an organized business or trade, in which men of large capital and hongs of great wealth engage as a regular traffic, by which men are bought and sold for so much per head, precisely as a piece of merchandise is handled, at its market value. The poor laborer of Europe applies his own scanty means to get to the land of promise, or is assisted by his friends, charitable societies, or benevolent institutions to reach a place where he hopes to have his toil properly requited, where his labor will inure to his own benefit. The cooly of China is bought by the rich trader to serve his purchaser at low wages for a series of years in a foreign country, under contract for the faithful performance of which in many instances he gives a mortgage on his wife and children, with a stipulation that at the end of his term of service he is to be brought back to China by his purchaser. This contract is sold by the dealer through his agents in the United States and elsewhere at a large advance, and is a source of great profit to the capitalists who have the means to buy and sell large numbers of men. This contract in the United States is no doubt null and void, but nevertheless the cooly will comply strictly with all its terms, a copy of which in Chinese characters is always in his possession, and this he will do because his purchaser holds his household *lares* in the land to which he always hopes and expects to return in pledge for the faithful performance of his bonds. The central idea of a Chinaman's religion, if he has any religion at all, is that of the worship of the tombs of his ancestors. The superstitions of Fung-Shuey dominate him wherever he may be in the world. The subtle mysticism of China, so strangely governing all its people in their social, political, and quasi religious life, are as a hook in his nose, by which his purchaser controls him at all times and in all places; and thus this relation of master and quasi slave, no matter how many miles apart, is welded by the mystical links of religious superstition, family ties, and rights of ancestral tombs, which control and regulate the reciprocal duties of trader and cooly in the home-land.

The means of obtaining coolies are as various as the ingenuity of man can devise, and are as corrupt as the incentive to large gains can stimulate and invent. Men and boys are decoyed by all sorts of tricks, opiates, and illusory promises into the haunts of the traders. Once in the clutches of these men-dealers, by a system of treachery and terrorism connived at by the local Chinese authorities, whose chief business in life is to "squeeze" the people, the stupefied cooly is overawed into making a contract under such Chinese influences and surroundings as to give it a sacredness of character nowhere else known in the world. From that moment he is the mere tool of the rich dealer wherever he may go. It is difficult for persons accustomed to western civilization to understand the depth and extent of this relationship; but Chinese civilization is unique, perhaps opaque, and cannot be measured by that of any other.

This is the testimony of many writers and travelers in China, and is evidenced very fully in the report made to Congress by the joint Congressional committee and also in the report made in the California Senate in 1877. Such are the Chinese who are called "immigrants."

We of the Pacific coast have tried all varieties of men as "immigrants," and our experience suggests a warm and generous welcome to our shore of the German, the Irishman, the Scandinavian, the Italian, and all who come from beyond the Atlantic; but of Chinese we have enough, and would be glad to exchange those we have for any white people under the sun. It has been urged, however, that we have no right to discriminate against the people of any race or nation who desire to come to the United States, and that it has been the uniform policy of our Government to welcome the men of all races and nations to our shores. To this I answer, that, in respect of the Chinese, our Government has agreed with China that we may discriminate as against a certain class of her people. That settles the question of right as between the United States and China. I know that it has been said that the right of expatriation, as interpreted by certain American publicists, carries with it the right of settlement, by those who expatriate themselves, in any country and among any people they may choose, without the consent of the nation into whose territory they may go. By this new theory the right of expatriation is exalted into a higher law than treaties or constitutions. I do not regard it as necessary or profitable to enter into a discussion of this doctrine at this time.

The right and power of a nation to protect itself against the introduction of any class of immigrants or invaders whom it may regard as either dangerous to its peace and happiness or undesirable from any other cause has not been questioned by any jurist or writer on international law of eminence, or who is recognized as authority. Self-preservation is the foundation principle of the constitution of nations. The law of self-preservation, if not the higher law, antedates all other human laws, and is instinctively recognized by all peoples as a fundamental law of national life. A people deprived of the power to exercise the right of self-preservation cannot be said to be a nation. Now, as to the policy of this Government in respect of immigration. Is it true that the invitation has been general without discrimination as to the varieties of men who have been encouraged to come? The naturalization laws of a nation illustrate its policy upon the subject of immigration. When these are liberal, immigration is encouraged; when they are stringent and obstructive, immigration is discouraged and not desired.

In the days of Rome's greatest power, no foreigner could be nat-

uralized unless he had rendered eminent service to the Roman state, and then only by a vote of the senate. In the prosperous days of the Athenian republic no foreigner could become a citizen of Athens except by a vote of the electors twice had, and then only in case the applicant received over 6,000 votes at the second election. After destructive wars had depleted the armies of both these nations, and immigrants were desired to re-enforce their ranks, the rigor of the naturalization laws was relaxed and citizens were made of foreigners almost without limit. So in all countries; the encouragement given to immigration is measured by the state of the naturalization laws. The Chinese and other oriental colored people have never been encouraged to come by our naturalization laws. They never could upon any conditions become citizens of the United States under our laws. The policy has therefore been a policy of discrimination as practiced by our Government, and not only so, but a discrimination against particular races. Was it without reason? There was and is not only this race discrimination against the Chinese in our naturalization laws, but also in the treaty with China known as the Burlingame treaty, which contains an express provision against the naturalization of Chinese in the United States. This was and is notice to all Chinese that they would not and will not be admitted upon the terms accorded to immigrants from European countries.

In dealing with any other people such a notice would have discouraged immigration. But why this discrimination as against the Chinese? It was because they are unfit for the responsibilities, duties, and privileges of American citizenship. This is the declaration of your naturalization laws. That they never will become fit for American citizenship is proven by the experience of thirty years on the Pacific coast. What, then, is to be the status of a race of men who form a considerable part of the population of a State and are unfit for and not admitted to citizenship? The presence in this country of a great number of people of an alien race, who do not and cannot assimilate with our people, and who are so hardened and fixed in their habits and characteristics, so inflexible in all their methods of life, and who practice a civilization so utterly antagonistic to ours that they are unfit to exercise the rights of citizenship, must of necessity always be a disturbing element. If they should be admitted to citizenship, then there would be a new element introduced into the governing power of this nation, which would be the most venal, irresponsible, ignorant, and vicious of all the bad elements which have been infused into the body-politic—an element disloyal to American institutions, inimical to republican liberty, scornful of American civilization, not fit for self-government and unfit to participate in the government of others—a people destitute of conscience or the moral sense. In every State wherein the Chinese might secure domicile there would be a mass of voters, sufficiently numerous probably to hold the balance of power in elections, who would be for sale to the best bidder. They would esteem the suffrage only for the money they could make out of it.

I need only suggest such a condition of affairs to convince any thoughtful man that no greater evil could come upon the Republic than this. And if the Chinese are permitted to come and reside in the United States; to become denizens of our cities and the occupants of our lands; if by any action of Congress they are invited to come and form a part of this nation, on what grounds will American citizenship be denied them? If they are free men and are to remain free, and are fit to dwell among our people, will not the sentiment which admits them demand for them all the rights of citizenship? We have a notable example before us. The same reasons which induced the enfranchisement of the negro would be sooner or later urged with the same effect for the enfranchisement of the Chinese. But whether they remain pariahs or are made citizens they add a new peril to free government. In California the number of men capable of bearing arms or entering an army is about equally divided between the Chinese and the white people. If this condition existed in the other Northern States of the Union is it to be imagined that no race conflicts would ensue? Could free republican government be long maintained without such conflicts? Under such conditions, to admit the Chinese to citizenship would be to begin the wreck of the Republic. Elections would become a series of tragedies. The end of all would be a spectacle so inexpressibly sad, so awful and terrible, as to at once grieve and horrify the lovers of liberty and of peace and of justice throughout the world.

There has sometimes appeared in the discussion of this subject a hazy sort of theory that it is unjust or illiberal to discriminate against any race or variety of men who seek residence in this country. Now, in this time, when more than half the world of men are turning their eyes to this virgin land of plenty, and are moving in upon us by millions, I believe that the national safety demands an intelligent discrimination, and that it is not only just and wise but humane to keep the bad sorts out. The time for a judicious sifting process has come, and I would sift out the Chinese laborers first; not alone because they are laborers, but because they are unfit, always were and always will be unfit, for American citizenship. If the domain of this nation were large enough to furnish homes for all the myriad peoples who desire to come, and for their posterity, and our system of government were so flexible as to fit and cover all possible conditions, and strong enough to meet all possible contingencies; if the power of assimilation were sufficient to digest and incorporate all races and sorts of men into one homogeneous people, then objection might be

made against any discrimination in respect of the varieties of men who are crowding in upon us from the east and from the west. But this is not so. We are already a nation of fifty millions. The country is now stocked with an intelligent, vigorous, and civilized people, in more than necessary or desirable variety as to races. There is no need of immigration for the settlement or development of the country.

Malthus cites the people of the United States as people who, by natural increase alone, are capable of doubling their population every twenty-five years. Such a people, under favorable conditions as to space, food, and shelter, all writers upon this subject, such as Adam Smith, Voltaire, Macaulay, Buckle, agree will double their numbers at the most every thirty years. Our census reports are suggestive of thought in this connection. Making all due allowance for war, pestilence, and other extraordinary causes of destruction to human life, the population of the United States should be in 1915 not less than one hundred millions, and in 1950, two hundred millions, without the aid of immigration, and so on in the same ratio until the increase of human life in this country should be limited only by the means of subsistence. Within one hundred years, which ought not to be regarded as a very long period in the life of a nation, the question of subsistence will be the "burning question" of the time, even though not another immigrant should ever land upon our shores. Why not, then, make selection among the millions who are coming to us and receive the best, those who are most easily assimilated, and who become homogeneous with our people? Why not discriminate? Why aid in the increase and distribution over the surface of our domain of a degraded and inferior race, and the progenitors of an inferior sort of men, to the exclusion of the highly civilized, progressive man of our own race? It is not numbers that are needed; quality is of more importance than quantity. One complete man, the product of free institutions and a high civilization, is worth more to the world than hundreds of barbarians.

Upon what other theory can we justify the almost complete extermination of the Indian, the original possessor of all these States? I believe that one such man as Washington, or Newton, or Franklin, or Lincoln glorifies the Creator of the world and benefits mankind more than all the Chinese who have lived, and struggled, and died on the banks of the Hoang Ho. But it is said that in order to extend the benefits of republican government and free institutions to other peoples, we must admit to citizenship in this land men of all races and classes without distinction. I believe that the surest way to popularize and extend the blessings of civil liberty, free government, and American institutions is by example. Let us keep pure the blood which circulates through our political system; dignify, ennoble, and exalt our sovereign—the people; preserve our national life from the gangrene of oriental civilization; foster American institutions in their grandeur and purity; continue to educate and develop the intellect and elevate the morals of the nation; in fine, let our civilization be progressive and make free government in the United States a perfect success, and an example will be furnished the world which will light the fires of liberty in every civilized land.

The matter of supreme importance to us and to the cause of liberty everywhere is the preservation and maintenance of free, intelligent, honest, pure, and successful government of the people, by the people in these United States. This demands the highest statesmanship and the most lofty patriotism, and it can never be effected by the degradation of American labor, the debasement of our civilization through the injection into the body-politic of a poisonous, indigestible mass of alien humanity, or the admixture of antagonistic races. If the object were to destroy our political system, to render free government impossible, then it would be rational and consistent to permit the riff-raff of the nations to be dumped into our streets and upon our lands without restraint; to import great hordes of servile laborers, whose competition with the free American voter will break down our social economy by the destruction of the industrial system which sustains it; to give welcome to ignorance, vice, and crime; to substitute the Temple of Joss for the Christian Church, and the worship of Chinese gods instead of the worship of the God of our fathers. These are the means which the enemies of free government might well employ.

When, in the progress of unlimited immigration, this country becomes well filled with Chinese; whose scouts and spies are now in every city and town in all the States giving information to their masters who are conducting this oriental invasion; when our cities are festering with the rot of their civilization; when our towns are filled with alien thieves, and our lanes are trodden by an interminable line of vagabond tramps; when the American laborer, overwhelmed, discouraged, and disgusted, is compelled to either abandon his native land or take refuge in the hovel, too poor to send his children to school; the youth of the masses growing up in ignorance, their young lives crushed by grinding toil for the means of subsistence, what then will be the prospect for the permanence of free government?

History teaches no lesson with greater clearness or persistence than this: that nations once powerful have degenerated and gone into decay, generally, in consequence of, and in proportion to, the admission and incorporation into their bodies-politic of inferior or heterogeneous races; and this we may apply with peculiar fitness to a nation like ours, whose government is a government of the people.

Debase the people and you degrade your sovereign. Can it be possible that we who stand here, fresh from a conflict engendered by the effects of that policy, which in the morning of our national career permitted the introduction into this country of an alien and servile race; our memories burdened with the horrors of that long agony of internecine war; our wounds scarcely yet healed; in full view from our windows of the graves of a hundred thousand heroic dead who fell in the struggle; the sad faces of many widows and orphan children reminding us wherever we turn of the anguish and suffering innocent souls have been made to feel; can it be possible, I repeat, that we shall longer permit a like policy to prevail, and tempt heaven or fate to scourge our posterity as we have been scourged for the mistake of our fathers?

To those who believe that there is no danger of any general disturbance of our social economy or political system by the introduction of Chinese upon the Pacific coast, I beg to suggest that the evil is already upon us there; the conflict is in progress, and we ask for the relief which this measure is intended to give for the Pacific coast alone, if in your opinion it is not necessary to save the whole country from the evils of which we complain. We invoke the protection of the National Government from an invasion which we ourselves are not permitted by the Constitution to repel. If the people of California were free to act, you would not be troubled here by the consideration of the Chinese question. They would have settled it long ago, not arbitrarily, nor in a frenzy of passion, but peacefully, humanely, and by law. It must be apparent now that our people believe that our fair State and the whole Pacific coast is in the presence of a great and to you a strange peril; and we further believe that those things which endanger our peace and prosperity in some degree affects the tranquillity of the whole nation.

I make this appeal in behalf of a grand people, generous, loyal, brave, enterprising, and intelligent. They are a part of the great American people; they are your brethren. They went out over the trackless plain, the dreary desert, or else sailed over stormy seas, from New England, from New York, from Ohio, from the great empire of the Northwest, from the sunny South, from every part of every State in this glorious Union of States. There, in the once far off land of California, they have made the conquest of nature. They are laying the foundations of empire there, and they are laying them strong and deep. They are forming and building up American institutions based upon Anglo-Saxon civilization. They have seen and understand that there can be no stability to their institutions and government unless based upon one civilization. Government is the product of civilization. It is evolved from the civilization of the people who ordain it. Free government cannot be maintained permanently in any country in which there exist two diverse and antagonistic civilizations of nearly equal strength. They operate as antagonistic hostile forces, and one or the other must have the ascendancy.

If the civilization of a people changes, the government must change to conform to it. In California Chinese civilization in its pure essence appears as a rival to American civilization. It is the product of a people alien in every characteristic to our people, and it has never yet produced and never can evolve any form of government other than an imperial despotism. Free government is incompatible with it, and both cannot exist together. We ask of you to secure to us American Anglo-Saxon civilization without contamination or adulteration with any other. We make our appeal within the spirit of the Constitution of the United States in its highest interpretation. Its framers declared that it was—

Ordained to establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

In order to insure general tranquillity, peace and good order must be secured to every part of the country; to provide for the common defense involves the protection of every part; to promote the general welfare the rights and interests of every section must be guarded; to secure the blessings of liberty to ourselves and our posterity, our free republican government must be maintained and administered in every portion of our land, and made permanent by keeping pure and uncontaminated the progressive civilization which gives it life and being. If you ask me how we may best "insure domestic tranquillity and promote the general welfare" on the Pacific coast, I answer by passing this bill and enforcing its provisions to the letter. China for the Chinese! California for Americans and those who will become Americans!

If you would "secure the blessings of liberty to ourselves and our posterity," there must be some place reserved in which and upon which posterity can exist. What will the blessings of liberty be worth to posterity if you give up the country to the Chinese? If China is to be the breeding ground for peopling this country, what chance of American posterity? We of this age hold this land in trust for our race and kindred. We hold republican government and free institutions in trust for American posterity. That trust ought not to be betrayed. If the Chinese should invade the Pacific coast with arms in their hands, what a magnificent spectacle of martial resistance would be presented to a startled world! The mere intimation of an attempt to make conquest of our western shore by force would rouse the nation to a frenzy of enthusiasm in its defense. For years a peaceful, sly, strategic conquest has been in progress, and Ameri-

can statesmanship has been almost silent, until the people have demanded action.

The land which is being overrun by the oriental invader is the fairest portion of our heritage. It is the land of the vine and the fig tree; the home of the orange, the olive, and the pomegranate. Its winter is a perpetual spring, and its summer is a golden harvest. There the northern pine peacefully sways against the southern palm; the tender azalea and the hardy rose mingle their sweet perfume, and the tropic vine encircles the sturdy oak. Its valleys are rich and glorious with luscious fruits and waving grain, and its lofty

Mountains like giants stand,
To sentinel the enchanted land.

I would see its fertile plains, its sequestered vales, its vine-clad hills, its deep blue canons, its furrowed mountain-sides dotted all over with American homes—the homes of a free, happy people, resonant with the sweet voices of flaxen-haired children, and ringing with the joyous laughter of maidens fair—

Soft as her clime, and sunny as her skies—

like the homes of New England; yet brighter and better far shall be the homes which are to be builded in that wonderland by the sunset sea, the homes of a race from which shall spring

The flower of men,
To serve as model for the mighty world,
And be the fair beginning of a time.

Mr. VOORHEES. Mr. President, I desire to make a motion that the Senate proceed to the consideration of executive business, but before making that motion I wish to say that it was my purpose to have submitted some remarks to-day on the subject of the Library. However, at this hour, of course, I will not do so. I will ask the Senator from California, who is so much interested in the pending question, however, to allow it to be laid aside informally, so that I may be entitled to the floor to-morrow at half past one o'clock for the purpose of addressing the Senate on the subject of the Library, and then the discussion of this bill can be resumed.

The PRESIDING OFFICER. The proper way, the Chair would state to the Senator from Indiana, would be for the bill to take its place regularly at half past one to-morrow, and then consent be given at the pleasure of the Senate to lay it aside.

Mr. VOORHEES. I thought I might obtain consent of the Senate now and be entitled to the floor to-morrow at half past one.

The PRESIDING OFFICER. This measure would lose its place if it be not placed before the Senate at that time.

Mr. HOAR. It can be done by unanimous consent.

Mr. VOORHEES. I will state then that I shall ask unanimous consent to-morrow, at half past one, to lay aside informally and temporarily the special order for the purpose of addressing the Senate on the subject of the Library.

Mr. FARLEY. About what time will the Senator consume?

Mr. VOORHEES. I shall need, perhaps, an hour.

CARDS TO GARFIELD MEMORIAL SERVICES.

The PRESIDING OFFICER. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. No. 4679) to authorize the Secretary of the Treasury to furnish impressions of the cards of invitation to the Garfield memorial service was read the first time by its title.

Mr. SHERMAN. If I can get the attention of the Senate a minute, I will ask the passage of that bill at the request of several members of the House.

The bill was read the second time at length, as follows:

Be it enacted, &c., That the Secretary of the Treasury, at the request of Senators, Representatives, or Delegates in Congress, is hereby authorized to furnish impressions from the engraved card of invitation to the Garfield memorial services made in the Bureau of Engraving and Printing, at the cost thereof, with 10 per cent. added, to be paid for by persons ordering the same; and orders for the same, and payments therefor, may be made for Senators, Representatives, and Delegates through the office of the Secretary of the Senate and the Clerk of the House, respectively.

Mr. SHERMAN. That is now in substance the law as to all vignettes and engravings in the Bureau of Engraving and Printing, but it is doubtful whether the plate of the memorial card is properly an engraving of that kind in the language of the law. I ask the Secretary to read the law which I send to the desk.

The Acting Secretary read as follows:

Be it enacted, &c., That the Secretary of the Treasury, at the request of a Senator, Representative, or Delegate in Congress, the head of a Department or bureau, art association, or library, be, and he is hereby, authorized to furnish impressions from any portrait or vignette which is now, or may hereafter be, a part of the engraved stock of the Bureau of Engraving and Printing, at such rates and under such conditions as he may deem necessary to protect the public interests.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. I ask the Senator from Ohio what is the cost?

Mr. SHERMAN. I suppose it will be a cent apiece; it will be trifling. The engraving is already complete and the stock is on hand; but it is doubtful whether it comes within the language of the existing law. I doubt whether the cost will exceed a cent a copy, and many members of the House desire to have them in considerable numbers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. VOORHEES. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eleven minutes spent in executive session the doors were reopened, and (at four o'clock and twenty-three minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 28, 1882.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. F. D. POWER.

The SPEAKER. The Journal of the proceedings of Saturday last and also of yesterday will be read.

The Journal was read and approved.

CORRECTION.

Mr. MILLS. Upon the vote on Saturday last upon the bill making appropriations for the service of the Post-Office Department the RECORD shows that I did not vote. On a previous vote it is shown that I was paired with the gentleman from Wisconsin, [Mr. HAZELTON.] The same statement ought to have been made in connection with the subsequent vote, or it should have been stated in the first instance that I was paired for the day.

CARDS OF INVITATION TO GARFIELD MEMORIAL SERVICES.

Mr. SKINNER. I ask unanimous consent to introduce a bill, upon which, if there be no objection, I ask immediate action.

The bill was read, as follows:

A bill to authorize the Secretary of the Treasury to furnish impressions of the cards of invitation to the Garfield memorial service.

Be it enacted, &c., That the Secretary of the Treasury, at the request of Senators, Representatives, or Delegates in Congress, is hereby authorized to furnish impressions from the engraved card of invitation to the Garfield memorial service, made in the Bureau of Engraving and Printing, at the cost thereof with 10 per cent. added, to be paid for by persons ordering the same; and that orders for the same and payment therefor may be made for Senators, Representatives, and Delegates through the office of the Secretary of the Senate and the Clerk of the House, respectively.

There being no objection, the bill (H. R. No. 4679) was read a first and second time, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SKINNER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CELEBRATION OF DISCOVERY OF MISSISSIPPI VALLEY.

Mr. GIBSON. I ask unanimous consent to present a memorial from the governor and other prominent officials of the State of Louisiana, and also a concurrent resolution based thereon. I ask that the memorial be read and that the concurrent resolution be now acted on.

The SPEAKER. The Clerk will first read the concurrent resolution, and then the memorial.

The Clerk read as follows:

Whereas the chambers of commerce, cotton and produce exchanges, and other commercial associations, the historical and literary and scientific societies and municipal governments in the Valley of the Mississippi have invited the Congress of the United States to be represented at the celebration to be held by them in the city of New Orleans on April 9, 1882, of the two hundredth anniversary of the first voyage down the Mississippi River to the sea and the discovery of its mouth by Robert Cavalier de la Salle;

Now, therefore, in order to commemorate an event so memorable alike in the history of our country and of civilization, and to testify on behalf of the people of the whole Union their appreciation of the services of Robert Cavalier de la Salle and their respect for his memory,

Be it resolved by the House of Representatives, (the Senate concurring.) That a committee of sixteen members, seven from the Senate and nine from the House of Representatives, shall be appointed by the Senate and the Speaker of the House of Representatives, respectively, to attend the said celebration on April 9, 1882, in the city of New Orleans.

The SPEAKER. The Clerk will now read the memorial.

The Clerk read as follows:

To the Senate and House of Representatives of the Congress of the United States:

The undersigned represent to your honorable bodies that it is proposed by the historical associations located in the valleys of the Mississippi and Ohio Rivers and their tributaries that there shall be a commemorative celebration in the city of New Orleans of the two hundredth anniversary of the discovery of the mouth of the Mississippi River by Robert Cavalier de la Salle, on the 9th day of April, 1882. (The States to-day bordering on the Mississippi River and its tributaries are Louisiana, Mississippi, Arkansas, Tennessee, Kentucky, Ohio, West Virginia, Pennsylvania, Missouri, Indiana, Illinois, Iowa, Wisconsin, Kansas, Nebraska, and Minnesota, and they now have an aggregate population of twenty-three millions.) In view of the historic interest of that great event and as a tribute to the memory of one of the most remarkable men and one of the greatest discoverers of any age or country, this celebration is believed to be eminently worthy of national recognition. It is, therefore, prayed that the Congress of the United States shall associate itself